

CLARK COUNTY BOARD OF COMMISSIONERS PUBLIC HEARING

DATE TAKEN: August 4, 2004
TIME: 1:30 p.m. - 8:45 p.m.
PLACE: 1300 Franklin Street, 6th Floor
Vancouver, Washington

COURT REPORTER: Cindy J. Holley, CSR

PROCEEDINGS

MORRIS: Well, welcome everyone. We are here once again in what we intend to be the final round of public hearings on the update of our 1994 comprehensive plan. You know about us, but I need to know just a little bit about you. Our plan for proceeding today did have originally we had it organized by city. So let me just ask for show of hands of those, we want to make it convenient for all of you, how many of you are here for Yacolt? Anyone here for Yacolt? Is there anyone here for Washougal? Okay. Camas? Camas, okay. Ridgefield? Oh, a lot, okay. La Center? Battle Ground? You know, I, some of you are here for many things, that's because you are legal counsel. Could we just see the hands of the residents, the folks who aren't legal counsel who are here to just talk. Okay. Good. Vancouver urban area, Fisher Swale, anyone here to talk about that? Vancouver urban area North Salmon Creek? Okay. George, this will be you. Vancouver urban area 179th Street? And there he is. Vancouver urban area 50th Avenue? Vancouver urban area 117th Avenue, 119th, that area? Okay, several of you. Vancouver urban area 162nd? Okay.

Now some of the legal counsel who do quite a bit of talking with us have suggested that we go through the list with all of the residents first and then we come back to them to keep them from having to come up and down and take your time. So if that's all right with the rest of you, that's the way we'll proceed. So we'll begin I think just in order and there was no one here who wanted to talk from Yacolt. Is there staff discussion first today? Oh, my apologies. Okay. Well, we're just going to run down the order that we have, so if you want to talk about them in that order, if you want to talk about them one at a time, whatever you'd like.

HIGBIE: What we'd like to do is talk about the comprehensive plan text briefly and then talk about some of the code changes briefly.

MORRIS: Do we want to do that now? Are people here to talk about the code changes or are you here to talk about the maps? Code changes. Maps, who's here for maps? How long is the discussion on the text changes?

HIGBIE: 10, 15 minutes.

MORRIS: Is it all right with the Board if we just let folks who came to talk first just talk who aren't particularly interested in the text changes?

PRIDEMORE: What's your concern with the text changes? Is it something that we can do closer at the end? It doesn't even look like we've got -- we're scheduled until 4:30?

MORRIS: Yeah.

HIGBIE: For the most part the Board is already aware of these so it's --

ORJIAKO: The discussion would be very brief, but it's up to the Board.

MORRIS: Well, I think you're going to see legal counsel very interested in that and some other faces I see in the audience, but I'm not sure everyone is. We take it how -- what's your pleasure?

How do you want to do it?

PRIDEMORE: I guess I would allow staff to go through whatever presentation you've got so that issues are focused when people come up, and then for order of testimony I would just come on a first come, first serve regardless of the issue. I think it's easier for us to flip between the pages of the map rather than have to go through the list once and then come back again tonight and go through the list again. That would, that would be my preference.

STANTON: That's fine.

MORRIS: Well, I think we will take who signed up but most of them are in pretty -- I mean the ones who are here first are the ones who are talking all the time and so I think it's best if we put them further to the end as they've suggested.

PRINTZ: Can I ask a quick question?

MORRIS: Please.

PRINTZ: There are a number of us here --

MORRIS: You probably ought to identify yourself for the record.

PRINTZ: Randy Printz, 915 Broadway. There are a number of us here who do represent sort of on both sides of all of these issues a variety of folks and you're currently scheduled for I think today, tonight and I think also Monday and Tuesday.

MORRIS: We realize.

PRINTZ: I know. And some of us on both sides I think were thinking it may be easier for you and better if we came in sort of all at once, maybe on Monday, and gave you sort of what will be mostly sort of a wholistic presentation on, you know, from various points of view on different pieces and different issues like urban holding and mixed use and the boundary in general. We can obviously do this however you want, but it would be helpful at least for us and the audience that are in that position to know whether or not we can come back on Monday and do that and kind of get out of your hair today or whether you want us to wait until 4:00 or 5:00 or tonight depending on --

MORRIS: I don't know, you're waiting until the closing hours if you wait until Monday.

PRIDEMORE: Well, we are planning to take testimony and that is kind of what I was getting to in the questions yesterday is when is it appropriate to tell people is a good time to come for testimony. I mean it -- depending on how we've advertised this and what citizens expectations were, it seems like taking from -- we're scheduled from 9:00 to 12:00 Monday morning. If we said 9:00 to 10:00 will be focused on those larger representatives to come forth and make their final pitch on whatever issues, that would work for me and probably minimize the cost to their clients.

MORRIS: You can do it any way you want to. My suspicion is that you probably would have plenty of time to begin what you have to say today. I don't know how long other people are going to want to be speaking, but a lot of the faces in the audience are familiar, new faces we'd like to see. There aren't a lot but there are some. So take your pick. I don't care. You can always come back, but while you were cogitating we'll keep going. So, okay. Okay. Please, if you could give us a brief presentation then.

ORJIAKO: Commissioners, I will be very, very brief. The Board and staff have met several times in work sessions discussing comp plan related issues. On the comprehensive plan text that have been before you, as well as the Planning Commission, I will emphasize that there have not been any opposition to the changes that have been made to the text.

Following our last work session with the Board we made a few changes. We made a change in the housing element and that was primarily to in a sense put in a policy format what the County is currently doing and that is to encourage very low and low income housing through the use of document recording fees dedicated to affordable housing. That was the suggestion of the Board, so that policy have been included in the housing element. The Board is aware that the environmental element, as well as the economic development element, is completely new and you have seen that several times. We also made just minor text change in the parks element and that was the suggestion of the Board to recognize the Open Space Commission, a citizen group that worked on Legacy Lands, we've just added a brief short paragraph recognizing that committees in the parks element. The other change, which you probably will be hearing testimony on, Planning Manager Pat Lee talked upon that, touched upon that yesterday, that's the urban holding text that was transmitted to the Board and discussed briefly yesterday. If the Board adopts that policy language, what we've, we've tried to tighten that up again to the suggestion of the Board and indicated a removing of the urban holding has to be done through the Type IV with the County being the initiator. That is also in your packet.

The only area that we haven't come to an agreement or a policy consistent with the countywide planning policy, which Pat touched upon yesterday, is the no net loss policy and we will be recommending as part of this update that the Board adopts the revisions made to the text. And that summarizes my comment on text.

HIGBIE: If you don't have any questions on that, I'll talk about the codes.

MORRIS: I just have a question when we get to urban holding, whenever you want me to ask it. Now?

HIGBIE: Sure.

MORRIS: You want me to ask it now? Okay. Am I reading correctly that for the Vancouver urban growth area that it requires a change in zoning enacted through the annexation to the City of Vancouver? Am I reading the opening paragraph correctly on Page 3?

ORJIAKO: Page 3, I believe Page 3 says if you have what was transmitted to you and it says that area designated urban residential on the comprehensive plan and zone lists the zoning and those designated industrial I believe, yes, the first paragraph indicates that if this changes may

develop for more intensive uses in a change in zoning enacted through annexation to the City of Vancouver or consistent with an adopted interlocal agreement, you're reading it right.

MORRIS: So what are the, what are the steps that have to happen prior to the development of any of the new area designated as residential that is not contiguous to the city of Vancouver?

ORJIAKO: Then we will move to the second criteria, the first and the second criteria, which would then require through the Type IV process the County and the City entering into local agreement. Where are the two jurisdiction cannot agree, then the County could initiate through the Type IV removal of that urban holding consistent with the Criteria 1 and 2.

MORRIS: So essentially the City of Vancouver has control over all of the areas that are coming in as urban residential that are inside the Vancouver urban growth, that will be inside the Vancouver urban growth boundary; is that correct?

HIGBIE: No. The way that language reads, and this was specifically the way -- the reason for it is to under the last paragraph if the County initiates a request to remove the urban holding and the City rejects that request, or if more than 180 days elapse without the signed interlocal agreement, the County can proceed to remove the holding, urban holding without any City input. So the answer is, no, the City does not have absolute control.

MORRIS: I'm assuming that the decision to extend or to sign the interlocal rests only with the Board of Commissioners; is that right?

HIGBIE: 180 days may be extended by mutual agreement of the City and the County.

MORRIS: Okay. So at a minimum it's 180 days or it's six months before anything can happen, and then at that time the City of Vancouver does indeed have control for the first six months; is that right?

HIGBIE: The City indeed has the ability to delay under this a decision on removing urban holding for 180 days.

MORRIS: That's right. That means they have control.

HIGBIE: For 180 days.

MORRIS: Yeah, that's what I thought it meant. Okay. Thank you.

HIGBIE: Code text --

MORRIS: Do you want to go ahead.

HIGBIE: -- or code changes, which is the second set of tabs on the three-ring binder. The first two are urban holding and urban reserve, the only code changes we made were whether or not were to create 40-acre minimum zones in those two zones. The Board talked about those at length. Mixed use, you've also had a number of workshops on that, we've made a number of

changes that respond to what was said in those workshops. One was we added a lot more specific language to the purpose statement so that the applicants and future staff and Commissioners know more of what the intent of mixed use is trying achieve. And the Board wanted to exempt the properties that are less than an acre in size from any requirements and we've done that. You can now under -- if you have less than an acre, you can do any residential or nonresidential use without going through the mixed use requirements.

We've put language in there reducing the size of commercial buildings from 100,000 to 50,000-square feet on properties that are or developments that are less than 10 acres in size. If it's more than 10 acres in size, then you can go up to 100 -- from 50 to 100,000-square feet.

STANTON: Unless if I'm reading this right on Page 3 of the uses list it's a building material and farm equipment store, you left those out, those go to 100,000-square feet. Did you intend to do that?

HIGBIE: No. There was no discussion by the Board.

STANTON: Right.

HIGBIE: It was all, it was all directed at the retail commercial, which is what we addressed.

STANTON: Well, this is retail sales, building and -- building material and farm equipment.

HIGBIE: No, we --

STANTON: So I would have included that in retail if I were doing it. I just wondered if it was an oversight or I don't remember that discussion ourselves.

HIGBIE: Yeah, it was not -- there was no discussion on it so we didn't change it. Or at least I don't recall any discussion on it. So we can certainly, certainly do that if it's --

STANTON: So you only applied it to retail sales general --

HIGBIE: Yes.

STANTON: -- retailer? I guess I would make the same change in Number 6 for retail sales, but we might want to talk about that.

HIGBIE: Okay. Oh, Number 6. So we would read 25,000 to 50,000.

STANTON: Unless it's 10 acres or more. I mean the same criteria that you had for the other retail sales.

HIGBIE: All right. The -- there was some testimony asking that Planned Unit Developments be allowed to be considered under the -- under this section so we added that. The Board talked about business park and office campus and we've made the changes that you identified at that time, which included changing colleges back to a conditional from a permitted use, making

correctional institutions conditional uses instead of permitted outright, limiting commercial developments of to ten percent of the building area so that freestanding commercial would not be permitted. In the in-fill code, and you may recall --

STANTON: Excuse me, before you move on on that, the height, the maximum building height, am I reading this right, 72 feet. Is that like seven stories?

HIGBIE: Something like that.

STANTON: Bigger than this building?

HIGBIE: Yes. It would be, yeah. In-fill code there was a number of minor changes that we brought forward from the Planning Commission. You looked at them and made virtually no changes. Under road modifications, the Planning Commission recommended a couple of things dealing with how in-fill roads are either considered or not considered and you had -- you agreed with that. There's some State, State law that changed for out of cycle amendments for subarea plans. We looked at that previously and made the, made the changes to the language in, in our code.

The industrial land bank process we also made changes that were discussed with you. And there's some proposals, the proposal to change or add an interchange area policy that would regulate comprehensive plan amendments around interchanges that have improvement plans on them. The -- and the last change is regarding grade schools K through 5. There was a lot of testimony from the schools about making them permitted outright in residential zones and that's been carried forward and is in here. And that concludes our presentation.

MORRIS: Questions? Okay. All right. Now we're ready for public testimony and since we -- is there anyone here yet from Yacolt? Okay. Then we'll begin with the Washougal urban area. There was some. Please, if you wouldn't mind coming up and giving us your name and address for the record.

KNAPP: Sure.

MORRIS: Excuse me, just one second. Mr. McKibbin, you had a procedural question?

MCKIBBIN: Yeah, I just had a question.

MORRIS: Could you identify yourself for the record.

MCKIBBIN: I'm, John McKibbin, 1101 Main Street, Vancouver Chamber of Commerce. We signed up for general testimony and on some code issues and I see that you may progress through on the graphic approach. Asking the same question that was asked earlier by Counsel, is it better that we testify on -- instead of waiting through this process on Monday morning?

MORRIS: You are, you are welcome to choose whichever you'd like to do. You know, I don't -- I have no idea how quickly testimony will go. I have no idea who will be here tonight.

MCKIBBIN: Okay. Thank you.

MORRIS: Please. We'll try not to interrupt again.

KNAPP: No, that's fine. My name is Chet Knapp, Chester Knapp. I live at 1788 57th Street in Washougal, Washington and I'm here just to ask a simple request. I own the property which is immediately adjacent to the existing urban growth boundary line proposed, and I attached a small map of the property which my wife and I own, and the property that is inside the urban growth boundary is zoned for 7500-square foot lots, I am currently in a 5-acre designation. The property on my southwest corner there's sewer and water on my southwest corner, brand-new subdivision, and there's a road easement that runs all the way down my west property line.

My request is that you would consider -- I respectfully request that you consider moving the urban growth line 300 feet to the east to encompass my property so that when they do develop the property basically we have similar zonings on both sides of that road. And that is my request. It would be an inclusion of exactly 4.8 acres if you were to consider it.

MORRIS: Have you raised this request to the Washougal City Council?

KNAPP: I talked to Washougal Planning and they're basically more focused on the next ten years of getting over towards the Camas side of for urban growth issues so.

MORRIS: And you're on the east, okay.

KNAPP: I'm on the east side, yes.

ORJIAKO: Mr. Chester, is this your property?

KNAPP: Yes, it is. All three of those small parcels right there are indeed my property.

ORJIAKO: Okay. Thank you.

STANTON: Can you point to it.

ORJIAKO: This is it right here.

STANTON: Does yours fall inside the Gorge area?

KNAPP: It does not fall inside the Gorge Commission boundaries, no, and so.

MORRIS: Any other questions? Thank you.

KNAPP: Thank you so much.

MORRIS: And it is nice to see a new face.

KNAPP: Yes, thank you and have a good day. Thanks.

MORRIS: Okay. Camas, is there anyone here today who would like to speak about the Camas map? All right. We'll move on to Ridgefield. I think there were several for Ridgefield. Do you want to -- are you going to --

BREMER: I just got two short ones today --

MORRIS: Okay, great.

BREMER: -- while I'm here. For the record, LeAnne Bremer representing Pioneer Estates, LLC, developer of the Union Ridge project at the Ridgefield Junction. Could, Oliver, would you mind. This request you've seen before, but I just wanted to remind you about it. This is the proposed alignment of the Pioneer Street extension that for the most part I'd say 90 percent of it is in within the city limits of Ridgefield today, the alignment is, and we're proposing that the urban growth boundary be extended slightly where those brown areas are on the map to accommodate the entire alignment for several reasons.

This is, this has been added to the arterial atlas as an urban road. It's primarily a -- its intent is to serve the urban areas of the city of Ridgefield, current urban areas, and perhaps even the Boschma property should that come in. But if the Boschma property does not come in, then at a minimum I'd request that the boundary be slightly expanded in these, these small areas. It's about 3.56 acres. And again it's necessary to serve urban areas, otherwise the present road system out there would be adequate for rural uses, but the City is there's an EMUO ordinance overlay in this area, there's activity going on, this road is necessary to serve, serve that proposed development and would ask that you include that in the boundary. I'd be happy to answer any questions.

PRIDEMORE: Just we did make the arterial atlas change for this one would inclusion in the UGB matter?

BREMER: It facilitates building, it's easier if it's all in -- potentially could be in the city limits --

PRIDEMORE: So you'd just have the (inaudible) --

BREMER: -- for right-of-way --

MORRIS: One jurisdiction.

BREMER: Yes. And this is a road that will most likely be privately funded and it's just it's easier dealing with just one jurisdiction. Thank you.

MORRIS: Thank you. Anyone else for Ridgefield? Please, if you'd come forward.

ERICKSON: My name is Helen Erickson, 10600 NW Lakeshore Avenue, Vancouver 98685, I'm here concerning my parents' former property in Ridgefield at 1316 NW 289th Street and Tax Parcel Number 212783. My parents, both elderly, passed away, my dad two years ago and my mother in January. It was in a trust at that time and since that in June my sister and I bought the

property to settle the estate. And our property is just a little pocket at the south edge of the Tri-Mountain Golf Course. In fact the golf course is on what was our family property at one time, and so it just left a little pocket.

Now the Ridgefield urban growth boundary has extended right up to 289th, so we're in a little pocket right on the edge there and can't do anything different with it. We did present our to the Ridgefield City Council in June and they had no objection to be -- for our property to be included in their future urban boundary area and we would like to request that that be done. If we can't be included we cannot access the utilities when they go in for that for our property.

STANTON: So is it that little area up there by where it says 11th and 288th?

ERICKSON: Yeah, it's just west of 11th on, yeah, North 289th.

STANTON: That little --

ERICKSON: Yes, that little pocket right there. Yes, that's it. The golf course is right around it.

PRIDEMORE: Oliver --

ERICKSON: I think that's right.

PRIDEMORE: -- when you point could you point on the overhead because we can't see what -- with that pointing up there we can't see it on the map.

MORRIS: You want him to point on that?

PRIDEMORE: Yeah.

ERICKSON: Yeah, that's it, that little --

PRIDEMORE: How large a parcel is that?

ERICKSON: 3.6 acres, just a house and there's three barns on it. I know it's late in the process, but we didn't have any, you know, say in the matter until the estate was settled and now we, we own the property and would like to have that included so it isn't left just with no access to anything.

MORRIS: On my left as I'm looking at it immediately to the west of your property line there's a small sliver of the larger parcel. Do you know how much frontage there is there?

ERICKSON: No. That whole -- actually there, those two parcels must be all one. I don't know what that line is because I would think the, let's see. The golf course would be those four I think. Yeah. I can't tell where --

MORRIS: So the golf course surrounds your property?

STANTON: Yeah.

ERICKSON: Uh-huh. Correct. Yeah. And that's the golf -- those four squares should be the golf course, and immediately to the west along I-5 there's, it's a little sliver of somebody else's property and then the truck scale, so there's nothing else there.

MORRIS: Questions? Questions?

STANTON: No.

MORRIS: Thank you very much.

ERICKSON: Okay. Thank you.

MORRIS: La Center urban area. Oh, excuse me, Mrs. Erickson?

ERICKSON: Yes.

MORRIS: I neglected to ask the gentleman from Washougal this question as well: What was the request zone? What zone are you requesting?

ERICKSON: To be included in their urban growth boundary for eventual change in zone. I -- Matt, do you know? I've brought my son along. What eventually we'd want it?

MR. ERICKSON: Matt Erickson, the same address. Higher density residential or office.

ERICKSON: Since it's right on the golf course.

MORRIS: Did the City of Ridgefield have a preference?

MR. ERICKSON: Their period had closed for discussion, but they had no objections. Two of them are here I think to also -- City Council or City of, the City of Ridgefield.

MORRIS: Okay. Great. Thank you.

MR. ERICKSON: Thank you.

MORRIS: Anyone else for Ridgefield?

WILSON: James Wilson, 27 -- 28 -- 27811 NE 14th Court, Ridgefield. I'm here again before you relative to the change in the map that I just became aware of. We're looking at the blue area that's, that would be one of, one of our concerns. Our subdivision is Phase II of the Helen's View subdivision which is the, yeah, right there, and Phase I is along 10th Street, the six, six lots along 10th Street. Over the past couple of years we've been coming -- become more and more concerned about the type of development that Ridgefield seems to have in mind for our general area, the area east of 10th. Dollar Tree stands as a Statute of Liberty, if you will, that we continue to strain our eyes over because of the -- while there are, there are some landscaping and

berming issues, there's a horrible light issue, light going clear across the field. I was telling Mr. Walker today it's nice to have the corn the size it is, it's now blocking the light. But I was really surprised that that area was included because we did participate in the hearing process last fall where it was specifically not included and I understood that the council was -- Commissioners were pretty well convinced that Ridgefield had plenty of land to develop. And frankly we do support the -- I support the development along the highway that the Port of Ridgefield's Business Park I think is going to be a very good, very strong addition to the services in the area.

And the second part of my concern is based on recent conversation I had with Ridgefield School Board relative to the Walker property, which is the 104 acre or 103-acre farm that wraps around three sides of our development. And the concern there is a couple, at a couple of levels. I happen to be a professional architect and I have taken a little bit of a look at what 15 acres that Mr. Walker intends to dedicate to the school board would do to that property as chopped up as it is right now and assuming that the school board would not want a school that was landlocked, so the chances are we'd be looking at 279th for access which is the major thoroughfare just to the north of our subdivision or they would be looking at 10th on the east side for school bus access. And unfortunately the part of Mr. Walker's farm that is on 279th frontage has quite a bit of water and in discussion with the school board they're not interested in having to deal with that kind of engineering. There is additional -- there is some drainage in the narrow piece of property that you see between phase -- Helen's View Phase I and Helen's View Phase II which also conveys surface, surface runoff.

So in my own planning eyes I looked at the 15 acres being along 10th at some location and that would take a pretty good chunk out of possible circulation and development of the remaining property. I appreciate Mr. Walker's generosity in being willing to give Ridgefield some property, and I know that the school district is straining to find areas and money to support future growth of the school system, but at the same time all of us or many of us, most of us, in the neighborhood are very concerned that our one-acre estates are going to be surrounded by something similar to the Dollar Tree at some fairly -- at some point and that would probably have a dramatic reduction in our property values. And right now our taxes are -- well, they're going to be, they're going to be averaged out in person next year so we're all looking unfortunately at another 10 or 15 percent in our property taxes. Do you have any questions?

MORRIS: You said the area along 279th is wet?

WILSON: Not along 279th, not all along 279th. I was saying that the part of Mr. Walker's farm that is east of our subdivision has water, and I was saying that there is a drainage shown on your map through the, basically the middle of the other portion west of Helen's View Phase II.

MORRIS: Was your subdivision done in wetland?

WILSON: Not exactly. I wasn't around when the subdivision was platted, but I understand from staff when we met with them last year it was the last subdivision of its type, RC-1, that was platted in Clark County and it -- I would guess that it was intended to plat a lot larger and I was told that there was great restriction on the number of lots allowed because of the lay of the land I'll say, I can't say it was specifically because of water. There's certainly not a creek running

through there, there's certainly not visible surface drainage in the area in the five years that we've lived there anyway. Thank you.

MORRIS: Questions?

STANTON: No.

WILSON: Thank you much.

MORRIS: Thank you. Anyone else for Ridgefield? Okay. La Center. No one for La Center either? Battle Ground. There were a lot of hands for Battle Ground. You know, I think we'll begin on my right and we'll work our way to the left, how's that. So it would be the gentleman in the orange T-shirt Oregon.

CLOSE: Sorry, the first time at one of these meetings so I'm not sure exactly what to do.

MORRIS: You just come right up and you sit down and you tell us what your name and address are.

CLOSE: My name is Shawn Close. I live at 10915 NE 196th Street, which is Larson Meadows. I had some information I found on my door the other day of apparently some plans that Battle Ground has and regarding the STEP septic system that we have and so I was just wanting some clarification on as to what was going to go on with that and what was going to happen with that and if I was going to be paying a lot of money here shortly to for sewer cost or sewer system?

MORRIS: Was there a name on the flier or did they tell you who wrote it?

CLOSE: No, it was just a flier that was on my door. You know, I don't know.

PRIDEMORE: It just said they were going to pick your pocket, is that --

CLOSE: Well, yeah, something similar to that but --

STANTON: Yeah, those were the words.

MORRIS: Saying someone was going to get you; right?

CLOSE: Yeah. You know, and again it -- there was nothing. My neighbors didn't really seem to know anything about it, but I just wanted some clarification if there was any information that I could receive on that or --

MORRIS: Our latest information from Battle Ground is that the vast majority of the area Meadow Glade they do not have included in their latest map. So we have heard of the flier that you got before, we know nothing of its origin, Battle Ground has not asked to retain Meadow Glade inside of its urban growth boundary, so I mean it's, sorry you were alarmed.

CLOSE: Well, it's, you know, I just moved in the neighborhood and I understand the STEP

system was kind of an experimental system, something that was being tried out in that area, and so I kind of researched it when I was moving in and that's of course I was alarmed when I kind of got this on -- found it on my door and --

MORRIS: If it had been from the Hazel Dell Sewer District, they would have identified themselves.

CLOSE: Right.

MORRIS: If it had been from anyone in Clark County, we would have identified ourselves.

CLOSE: Is there any concern that I should be of or any future concern or --

PRIDEMORE: I guess let me respond just because I've historically been a pretty strong advocate for including this into Battle Ground's urban growth boundary. Battle Ground has not requested it, they've said that they don't want to bring your area in, and based on testimony from Hazel Dell Sewer District I'm inclined to agree with them to leave it out, so that's where it's at now. I think the Board -- well, the Board certainly could choose to still include you. I can only tell you what I'm thinking now because I'm probably not going to argue for including at least the bulk of Meadow Glade.

CLOSE: I was just kind of curious. I mean is there concern with the STEP system that Larson Meadows is on right now? Is there something in the future where we may have to hook up for a traditional sewer system or --

MORRIS: Well, as years pass all things change --

CLOSE: Right.

MORRIS: -- but the STEP system is working fine. There's a limited number of potential additions to the current STEP system, but there's, there's no plan immediately to do anything to you. There is nothing in the next five years and there probably -- I wouldn't be for sure, but there probably would be two votes to take that area out so. We never can't make promises until it's all over with.

CLOSE: Right. I understand. I just -- like I say, we just moved in and I didn't want to look at, you know, facing some big bill to hook up to a sewer system in the future because something could (inaudible), but I appreciate your time. Thank you.

PRIDEMORE: My sense is however this Board decides this year, this is an issue you're going to need to and Meadow Glade's going to need to be aware of every single time discussion of a change in the comp plan comes up. So it's just something in the future for you to be aware of regardless of how we handle it.

CLOSE: Okay. Sure. I appreciate it. Thank you.

MORRIS: You're in what's called an edge area, you're on the edge of an existing city's urban

growth boundary, so any edge areas need to be vigilant.

CLOSE: Okay. Well, that's why I'm here. Thank you.

MORRIS: Okay. Good for you. Thank you. Again Battle Ground, I was working from my right to my left. Is there anyone else on this? Please, in the red jacket if you'd like to come up and identify yourself.

MOON: Good afternoon. My name is Lee Moon. I live at 11814 NE 177th Circle, Battle Ground. I've been here before in front of you. I want to thank you for the opportunity to share some observations and thoughts with you about the decisions now facing you as the Clark County Board of Commissioners. I believe you already have our written submission about the Battle Ground plan to expand their urban growth boundary to include all the lower part of Meadow Glade. I was interested in what was just being said, but I wanted to confirm that you got that letter a couple of weeks ago.

Battle Ground has not been able to show stable funding for its capital facilities plan, and so far as I know from being here yesterday has not even submitted its transportation plan for your review. Revenue sources cited for these expansion costs are primarily increases in impact and user fees, local improvement district revenues to fund a gravity sewer system and increased rates and taxes for City services. While this may represent different pockets of the average taxpayer, it's still the same pair of pants. The City must be able to show that it can provide urban services to an area or the area cannot be part of its urban expansion. Urban densities in Meadow Glade will widen the funding gap for Battle Ground School District as more families occupy denser neighborhoods and send their children off to school. Where the STEP sewer system exists now, the City would be effectively asking those landowners to pay twice for the same service. We've all paid thousands of dollars to connect to the Hazel Dell STEP System and now through local improvement district assessments the City is willing to let us pay a second time to bring gravity sewers to the area because it cannot otherwise foot that bill.

I ask you where exactly is the benefit to the landowner in this. Any plan that designates urban densities, mixed use or light industrial development in Meadow Glade cannot escape the one constant barrier to such development and that is the inadequate sewer system now in place. This doesn't even take into account the lands where no septic system exist at all. This reality cannot be wished away. In the foreseeable future it's simply a fact and we must all be prepared to face facts. In testimony given to this Commission on July 13, 2004, Chuck McDonald, District Engineer for the Hazel Dell Sewer District, responded to a question from Commissioner Pridemore regarding whether increasing densities to urban levels and putting in a gravity sewer system in Meadow Glade was feasible. Mr. McDonald replied, quote, I think it would make sense to increase it in the long run and it would be the most feasible just to have a gravity system come basically south with topography, then pump from there, not pump back to Battle Ground but have its own dedicated force main to pump into the system, end quote. Commissioner Pridemore went on to ask if that scenario was cost effective in this comp plan update or whether it was something further out. Mr. McDonald responded, he would anticipate it was, quote, further out at this point, end quote. This is what the experts have to say to you.

In Battle Ground's most recent version presented to you just yesterday the City would downsize

its southern expansion to a narrower quadrant of land between NE 112th Avenue and SR-503. This is nothing more than a blatant gambit to divide and conquer the long-standing resolve of the Meadow Glade citizens not to become a part of Battle Ground. Meadow Glade citizens here to testify who live on the western side of 112th should take no comfort in the City's newly downsized expansion compromise because it is this Commission that grants boundaries not necessarily in keeping with the preferences of the Cities as in the case of Vancouver where they may absorb more than they would like to. Realistically a smaller expansion doesn't change any of the underlying facts. All that's been said here -- hello?

MORRIS: It comes and goes.

MOON: All that's been said here about Meadow Glade in its entirety also applies to the portion of Meadow Glade the City still seeks to control, but the City still won't be able to provide urban services or adequately fund them and the lands still won't accommodate urban or industrial development because of the sewer deficiencies. Given enough time to develop responsible funding strategies for these difficult development issues, Battle Ground may eventually be ready to absorb Meadow Glade without bankrupting its citizens in the process, but not during this round of expansions. It simply isn't ready to become the size city it wishes to be any more than a gifted 12-year-old can pitch in the big leagues. It will take time and hard work for both to accomplish their dreams, but for now wishes and dreams shouldn't be a substitute for wisdom and responsible planning.

We urge this Commission to do its own reality check. The reality is that Battle Ground hasn't put together a workable plan yet. The reality is that Battle Ground cannot offer anything to Meadow Glade at this point but the promise of higher taxes, fees and service charges to go along with the uncertainties of a school district in crisis. And the reality is that you or your successors will be here again in another five to six years to begin the ten-year review process all over again. We feel confident that with your thorough and impartial review, this Commission will arrive at the same conclusion that all of Meadow Glade should be removed from the current Battle Ground expansion plan and the issue put aside for now so that long-term goals can be examined with the time necessary to find workable and affordable solutions. Thank you for your interest, your time. Do you have any questions?

MORRIS: Do you live in the area that's still proposed for inclusion in the Battle Ground urban growth boundary or --

MOON: I do.

MORRIS: Okay. You're there. Thank you.

MOON: It's my ox being gored.

PRIDEMORE: What do -- clarify once again, just it's not often that I find myself in a position of defending Battle Ground because, frankly, we've disagreed on a lot of things during this process. But I've been talking to them about the urban growth boundary expansion for the past five years now, they have never expressed any burning desire to annex or take over Meadow Glade, it's not an area that will be easy to develop and they're not very interested in it from the conversations

I've had. So while you make a lot of very legitimate points and a lot of them that I've raised and agree with, I hope that you'll consider what Battle Ground has actually been trying to do because they haven't been as nefarious as you've kind of implied in your testimony --

MOON: I -- I would take --

PRIDEMORE: -- from my perspective.

MOON: Yeah, okay. I would take I'm rigid at that comment, but let me say I've been attending Battle Ground City Council meetings as well and up until a week and a half ago all of Meadow Glade was in their plan, and it wasn't until there was some discussion about whether they could really afford to take it all in. And I think some of that was brought to their attention by conversations that were held in those venues that they perhaps began to realize that the elephant was too big to swallow.

PRIDEMORE: I guess what I'm saying is it's possible that it was included in their plan because some people like me suggested that they should consider that kind of thing, and as I stated in the last hearing on this I think you guys are going to have a lot more struggles as growth occurs at low densities in this Meadow Glade area than you're currently aware of. I could be wrong about that. The testimony that you cited from Chuck McDonald meant a lot to me, that's why I've by and large abandoned my thoughts about this, but this area is going to be impacted by development and I think you guys, the Board of County Commissioners, the City of Battle Ground, we as a community, need to talk about what is the best way to develop it so it has the least cost impact on citizens in that area. That's --

MOON: And I would agree with that.

PRIDEMORE: -- that's what I'm trying to focus on.

MOON: And I would agree with that. I'm just saying I'm not sure it's right for this round of expansions. I think this is going to take more time than they've allowed themselves.

PRIDEMORE: And I'm coming to that same conclusion.

MOON: Well, thank you. Anything else?

MORRIS: Thank you.

MOON: Thank you very much.

MORRIS: Is there anyone else on -- please, if you would.

ATMORE: My name is Ted Atmore and this is my wife Colleen, we live at 10510 NE 189th Street, Battle Ground, Washington. We live in the Meadow Glade area. After listening to you people talk, here's the flier that you were talking about and, no, it does not have any names on it. And I guess what we want to do now is just go down on record saying that we are not interested in being part of Battle Ground. We have a very good working sewer STEP system. We've never

had any problem with it. I don't understand why the idea of going from a STEP sewer system which has only been there about, what, 11 years, back to a gravity feed because that's what we do once we get on, out onto the main line I understand, we go, it's gravity feed to the sewer plant, so why do we have to go through this expense to go back to a gravity system. And it seems like in this flier that we were the only ones going on the expense and any other future development in the Battle Ground area would not, this sewer system would be funded by an LID and it's really confusing. This is one of the reasons why she and I are, and my wife and I are here today because we are not interested in the expense. We want you people to know that. We are not interested in changing anything as far as the Meadow Glade area goes. Do you have anything else --

MRS. ATMORE: No. And we can't afford an LID.

ATMORE: We don't want to afford an LID.

MRS. ATMORE: I mean we paid for a system already when we bought our home and it went in in 1994. And we have a lot of wetland area there and I don't know, it's -- I don't know how well it's going to be to develop it as an urban and a lot of businesses because we do have wetlands and drainage problems. So, yeah, I just want to go down on record too.

MORRIS: Well, thank you very much. It is not, it's not unusual to have someone pass out fliers that are intended to alarm, so it happens from time to time.

ATMORE: Well, we do have a Meadow Glade Association and we haven't attended all the, all the meetings all the time, but this is one of our worries, this is brought up all the time. I mean at every meeting that we've gone to that, that Meadow Glade is trying to annex us and --

MRS. ATMORE: No. No, Battle Ground.

ATMORE: -- I mean Battle Ground is trying to annex us into, you know. And --

MORRIS: But do you -- excuse me for interrupting.

ATMORE: Go ahead.

MORRIS: Do you live in the little sliver that Battle Ground is still hoping will come into their urban growth boundary which is just the small sliver adjacent to 116th?

ATMORE: No, we live just --

MORRIS: No, it's a hundred and what, 12th?

STANTON: 503.

MORRIS: Yeah, 503.

MRS. ATMORE: We live where Cramer Road starts at 189th Street.

MORRIS: Oh, all right. You're --

ATMORE: We live just west --

MRS. ATMORE: And we are on down, it's a dead-end --

MORRIS: So you're west?

MRS. ATMORE: -- at 189th.

ATMORE: Yeah. Yes, we're just west of the Meadow Glade Academy.

MRS. ATMORE: And we try to be a very squeaky door whenever anything comes up for massive change in our little area. And like he was saying, you have to be very alert, well, we try to be very alert to any little thing and come down to see what's going on.

MORRIS: Good for you.

PRIDEMORE: Were you guys involved when they put the STEP system in? And that was a County thing --

MRS. ATMORE: Yes.

PRIDEMORE: -- the Department of Public Works handled. Were you involved in those discussions when they were putting it in?

MRS. ATMORE: Actually we bought our place just a little before that and when we bought it, it was -- we knew it was going to be a STEP sewer go in and that was part of the price we paid for that. And we knew it was going to go in and it did, what, about --

PRIDEMORE: Do you remember the specific fee you paid?

MRS. ATMORE: We split it with the seller but I think --

PRIDEMORE: You don't remember what the --

ATMORE: It seems like it was \$2800.

PRIDEMORE: Yeah, that's what I'm thinking too. It was 24 or 28.

MRS. ATMORE: I think it was --

ATMORE: It was kind of a figure --

MRS. ATMORE: -- for us it was, but they said they built something like they, their part of it was about that same thing and it was about \$5,000 I think because we went in when the whole

big mass and it was cheaper then to go in when everybody, you know, they were putting it all together the very first thing.

PRIDEMORE: And I don't want to take exception with what you're saying again, I mean I just, I want you to -- I want everybody in Meadow Glade and actually people in Clark County to understand the issue. Clark County started that STEP system when it was extremely cost ineffective for us to do it, which is why we ended up turning the system over to Hazel Dell Sewer District after a time. The thinking behind this, and just imagine it real simply, if you've got a mile of road and you've got a thousand -- or a mile of sewer and you've got a thousand people paying for that long sewer pipe, the cost per person is fairly cheap; if you've got that mile and you've got ten people on it, the cost is extremely high. And that's the disconnect here and why the development in Meadow Glade right now is not very cost effective to provide with services.

My belief is that Meadow Glade is eventually going to have to be on a gravity system and that the cost of that are going to be borne by whoever is on that system. It doesn't have to happen right away as Chuck McDonald testified, it's not the right time, but I would caution you just -- I mean just as an old finance, government finance guy in public works, eventually it becomes I think it's inevitable it's going to happen and minimizing the costs of that is to me very important that we try to do.

ATMORE: Well, okay, thank you.

MRS. ATMORE: We may have to move.

MORRIS: Well, it is just around the corner from where I live. There was a most lovely house with a great huge beautiful lawn and now they're building a drainage retention pond there and they're going to put in like 25 houses so it comes our way.

PRIDEMORE: That's certainly in my neighborhood.

MORRIS: It catches us. Yeah.

ATMORE: Thank you very much.

MRS. ATMORE: Okay. Thank you very much.

MORRIS: You bet. But it's not going to catch you right now. Okay.

ATMORE: That's reassuring.

MORRIS: Anyone else in Battle Ground on my right, on the right side of the room, my right side of the room? Okay, LeAnne, here you are again.

BREMER: My last one today. No, I can use this one. For the record, my name is LeAnne Bremer representing Stonehill LLC. And to put a name to that, Kent Landerholm is a member of that LLC. We -- yes, thank you -- we -- the property is this two-acre triangular piece where

Oliver is pointing right at the very bottom of your screen. On the west side is SR-503, the east side Caples, and north side 179th. This is currently proposed to be within the boundary, it's on your February map or January map, within the proposed boundary. It's not currently in the boundary, it's rural commercial or rural center, rural commercial I guess it would be. In the map, the proposed January map also shows it as a neighborhood commercial within the boundary.

Now with Battle Ground coming back and modifying their, their boundary request, as you know, the property to the west of 503 is also proposed to be included. Battle Ground is suggesting that that be regional commercial. We would support that. We think it makes sense to combine that with our piece as a commercial area. But even if that weren't commercial on the west side, it still makes sense to have this, this small piece wedged between these major roads to be commercial. And our suggestion is it be highway commercial, it better meets the locational criteria than the proposed neighborhood commercial. And because of its location along these major roads, including a State highway, it, highway commercial is intended for the traveling public. And it's not a strip development by any, by any means, it's more nodal in effect and neighborhood commercial wouldn't seem appropriate because it's not really connected to any residential areas and again with the barriers of the roads, this seems better to be highway commercial.

And lastly, Moss & Associates is currently doing a sewer capacity study for this site and I understand that that study may broaden but I'm not positive about that so that we are looking into sewer extension and most likely this will be one of those that will have to privately fund to make that work for this site.

MORRIS: So the request is for highway commercial?

BREMER: Yes, it is.

STANTON: How big was it again?

BREMER: About two acres.

STANTON: Two acres.

BREMER: It's already, you already -- it's already commercial, rural albeit, and it has an existing development already approved. A feed store and a convenience service station and feed store is already approved, but the owners would like to see a more intense zone there.

PRIDEMORE: We had this under an annual review, didn't we, this same piece like five years ago?

BREMER: You could have. I wasn't involved, but I think I heard something about that.

MORRIS: I don't remember that.

PRIDEMORE: This just seems awful familiar to me.

STANTON: You're not thinking further south?

PRIDEMORE: I don't think so. It seems to me it was on the intersection of Caples and --

BREMER: I think you're right. I think I heard something about that.

STANTON: Is this Caples?

BREMER: Caples on the west. East, excuse me.

PRIDEMORE: Do you remember this, Bob?

HIGBIE: I don't. Oliver?

STANTON: I remember Caples in Brush Prairie. Isn't that the same --

ORJIAKO: I'm not sure about this piece. We can look and see where it was at.

PRIDEMORE: It almost doesn't matter, I mean, but that -- it seems to me that we did rezone this for the commercial use, but if you guys aren't remembering it.

ORJIAKO: Yes.

BREMER: And it may at that time been appropriate for rural commercial, but now with the expansion of the boundary proposed all around it.

PRIDEMORE: We did do that?

ORJIAKO: It was rezoned for rural commercial.

MORRIS: Rural commercial?

BREMER: Right.

ORJIAKO: Yes.

BREMER: And it, it won't really be attached to any rural area anymore if the boundary is adopted as proposed.

MORRIS: Oh, we could just keep it a remanent.

PRIDEMORE: We like our feed stores.

MORRIS: Yes, we do. We're good to feed stores.

BREMER: Thanks.

MORRIS: Thanks. Anyone else? Okay. Now we'll go to this side of the room and we'll start

from the aisle and work over. So the young woman in the light blue sweater.

SCHMITKE: Hello. My name is Heather Schmitke and I reside at 1604 SW 6th Street in Battle Ground and what she's passing you is a written copy of the statement that I'd like to give, as well as the map with the area highlighted that I'm specifically talking about, and a letter from another resident within the area. And the area I'd like to address is, sure, that would probably be easier to, you can kind of make out the highlighted point on the overhead. It's an area within that is now inside the Meadow Glade moratorium that is being proposed for mixed use zoning.

And my personal interest in the area is, is a family interest, I have parents who live within that area that I've highlighted who my husband and I will be responsible for elder care issues when they emerge in the future, we'd like to be able to subplot off an acre of their 5-acre parcel and build and be responsible for those issues and other family reasons. That's my personal interest involvement in the property and why mixed use zoning doesn't work for myself and I think also for the other community members that are in that parcel. Mixed use zoning requires residents to have that 25 percent commercial use to their property or allows for apartment buildings, restaurants, which you're all very aware of. I know that mixed use zoning was proposed, at least I was informed from a long-range planning representative that that was proposed, five years ago before many of the subdivisions were put into that area.

Now the area has been developed residentially into large plots, nice subdivisions and I don't believe it would be the desire of the community or myself as a potential homeowner in the area to have that type of commercial use being put into the area that would bring more through traffic on roadways that can't support that type of through traffic use and the high noise that that would propose and bring into the area and I don't believe that that type of commercial venture is needed in that area with Battle Ground less than a mile away accommodating those types of commercial, excuse me, commercial needs. The type of zoning that I would, that I would propose or recommend is something like RC-1 or Rural Center 1 or another type residential zoning to keep the commercial out, keep the community quiet and safe and, and small in that manner. Are there any questions?

MORRIS: Are you inside the Meadow Glade rural center?

SCHMITKE: I am not but the property proposed -- well --

MORRIS: Because if it is not inside the Meadow Glade rural center, you could not split off an acre because there would be a 5-acre minimum zoning requirement, so you would not be able to split off. You might be better off in the urban growth boundary if it was zoned something besides mixed use.

SCHMITKE: Yeah, I'm not exactly sure. I know that the current zoning is RC-2.5 I believe on that property but I --

MORRIS: I think that is rural center.

STANTON: So it is rural center.

MORRIS: You could take off two and a half.

STANTON: Well, but part of the restriction might be the STEP system which only allowed a certain number of hookups and I think that's how we wound up doing the zoning inside the rural center was based on what the capacity was of the sewer system out there which would keep you from dividing off that one acre.

PRIDEMORE: Are you north or south of 199th?

SCHMITKE: North of 199th. No, of 199th we would be north, yes, just across the street of 199th. Right across the street from the parcel on the south side of 199th has been divided off into one-acre plots very recently in a subdivision.

ORJIAKO: Is that this one?

SCHMITKE: Yes, in that area.

MORRIS: And you're next to that?

SCHMITKE: On the other side of the street. Yes, that's the area that's been developed and I know they're on one-acre plots and a little bit larger and I would be residing across the street from that on the north side of 199th.

MORRIS: So your property is on the north side of that.

SCHMITKE: Maybe I'm looking at this map --

MORRIS: It would all depend on what your zoning is now and what our proposed zoning is whether you'd be able to divide off the -- split off the acreage or not.

SCHMITKE: Right.

MORRIS: But you wouldn't be able to if it was mixed use I doubt.

SCHMITKE: No, that's why I'm advocating against it.

MORRIS: Questions? Questions?

STANTON: Nope, I think I've got it.

MORRIS: Okay. Thank you.

SCHMITKE: Thank you for the opportunity to give input.

MORRIS: You bet. Again moving from the center aisle to my right anyone for Battle Ground? Mr. Lear.

LEAR: Good afternoon. My name is Joe Lear. I live at 17640 NE 120th Avenue, Battle Ground. Oliver, can you point to the property right, can I see it, right here.

ORJIAKO: This is your property?

LEAR: Yes, that's the property. This is the Battle Ground plan of the yellow there being residential and the red being regional commercial. I am all in favor of this plan that Battle Ground has put forward. I have already brought in sewer, water, power, natural gas and cable into the area, it is all ready, there's no expense for the County or Battle Ground to incur on this. It would also go well with the property on the east side of 503 and be a very good commercial regional center. And like we heard yesterday, Battle Ground has pretty well paid off all of their debt and has moved forward in the construction of every aspect and are on target for everything. And it's been a big spread in the Reflector today that points this out also.

So I'm keeping it very short. And this plan also goes by what Meadow Glade wants. They don't want to be included, fine, let the line come straight down 112th, include that property into the urban growth boundary, we've got commercial property that will be a good tax base that will help support the residential to the west of the commercial and I think everyone would be happy.

ORJIAKO: Is this 112th?

LEAR: Yes, that's 112th.

STANTON: And the property you're talking about again --

PRIDEMORE: Everybody will be happy.

STANTON: -- is it the red or is it the yellow?

LEAR: The yellow is residential. It's, right now it's an approved subdivision, but the plan calls for R1-5 or R1-6 designation. The County plan called it -- calls for it to be all light industrial but --

MORRIS: Oh, that won't work if it's built.

LEAR: -- that definitely is not a, not a good area for light industrial because there are four brand-new homes in the area and that would impact them drastically and the commercial would have less of an impact on the sewer system, they normally have less flow into the system than a home would.

MORRIS: So you're happy with what is on the map?

LEAR: I am happy with what's on the map, yes.

MORRIS: What a change from what we usually hear.

PRIDEMORE: But that's not the zoning right now that's --

LEE: That is -- the map that he's showing I believe is the map that Battle Ground provided us on the 12th of July, it is not the map that is reflected on the January 14th Board proposed map.

ORJIAKO: This is the Board proposed map.

LEAR: The Board proposed map calls for a light industrial I believe.

MORRIS: On the whole thing?

LEAR: Right. I know that was the proposed about a year and a half ago and then it changed to residential, changed to mixed use, changed to business park, and now it's back to light industrial again. But again too, I might be speaking out of turn for the property owners in the area, but I would not like industrial next to me.

MORRIS: So the January 14th map that was the Board's map had it as light industrial, the latest version of the map from the City of Battle Ground has it as residential and commercial?

LEAR: Correct.

MORRIS: Okay.

LEAR: Any other questions?

MORRIS: Questions? Thank you very much.

LEAR: Thank you.

MORRIS: Okay. Then moving again from the aisle to my left, is there anyone moving -- Mr. Dyrland, did you -- you're speaking? No, you're closer to the aisle, you go, you get to go first. It's an unusual method of organization.

DYRLAND: As long as it works. I've got three copies here if you want to --

MORRIS: If you'd just give them to the clerk, she'll pass them out to us.

DYRLAND: Okay. Great. Here's a couple of diagrams that you can use there. My name is Richard Dyrland. I live at 27511 NE 29th Avenue, Ridgefield, Washington 98642, and I appreciate the opportunity to be here and represent Friends of the East Fork which is a nonprofit group that advocates watershed education and the practice of good land stewardship on the East Fork of the Lewis River watershed.

A concern I want to speak about today is that the northern boundary of expansion proposed for the City of Battle Ground not be allowed past or north of the boundary defined by 239th Street and up west 112th Avenue and north of NE 244th and west of Highway 503. On the other map it's that little blue, dark blue corner at the very top, that's correct.

PRIDEMORE: So you're saying take that out, Dick?

DYRLAND: We're saying take that out. And we have five major reasons why we've taken that position. One, that there's a large spring right up there, if you'd switch back to the other map, please, and it's a major spring that supplies the flows to Manly Road Creek which is a creek that has T&E, this is Steelhead population and Coho which are undergoing a recovery program right now and from our investigations impacting a spring by allowing business park or other types of semi-industrial development would cause irreversible damage to the surface and subsurface groundwater system and certainly reduce flows from the spring. And I refer back to a detailed testimony and fax presented earlier at earlier hearings by Fred Holzmer, a professional groundwater hydrologist, who went out on the site and looking at the diagram up there we have water running from that area both into the East Fork and also into the spring area.

The runoff function from that area between NE 139th and the East Fork supplies, one, water to the spring; two, to Manly Road Creek drainage overall, and, three, to a critical need of Steelhead tributary which flows into the East Fork to the north, and I believe that's that little blue line at the top marked in there, that is a small stream in there that again is fed by that spring area or that drainage area and it has one of the few native Steelhead populations around. It was discovered about a year ago and we're very concerned about that because of the listing of the Steelhead. We feel that development of light industrial or business park development would remove critical infiltration surface area that will impact the water supply which supports these three functions. A new 2002 U.S. Geologic map of Battle Ground quad, next diagram please, this is the same area, this is a new map, it shows that there's a QB formation about 40 meters plus thick of a basalt that has weathered the soil in its upper part and thus stores and conducts water well and that makes that whole area rather unusual. It also exits at the spring just north of 244th Street, this is a clear indicator of how critical it is to protect the runoff and subsurface groundwater function of this area.

In addition, Friends of the East Fork with full cooperation from the landowners and the Washington Fish and Wildlife Region 5 Office and support from Fish First has developed a specific stream restoration and fish habitat recovery plan for lower Manly Road Creek. Project work is already underway implementing parts of this plan. It is highly likely that the risk associated with changing the land use boundary to a zoning that would allow more development to the north as discussed would substantially reduce the effectiveness of the projects in the Manly Road Creek plan and further, it would impact existing population, the protection of and the recovery of the T&E listed Steelhead species in the East Fork of the Lewis River system, and that has far-reaching and seriously (inaudible) implications also.

And finally, the City of Battle Ground does not have the basic components that a light industry or office campus location requires. It does not have major transportation and traffic, it does have, excuse me, major transportation and traffic problems that are increasing. It does not have rapid access to the Portland Airport or to major transportation routes, I-5 and 205, and most of all there are such -- there are much better and more competitive areas along the I-5 corridor and near cities such as Ridgefield which you have marked out very clearly in your planning process, in those areas there's suitable space to expand at a much better level of necessary components with a much lower impact on other resources. Battle Ground in our view would be wiser to spend its time and the citizens' money on fully utilizing the business potential of the east end of their

downtown business district than what they have right now.

Therefore, we respectfully request that the past zoning of this specific area be maintained to protect its highly valued water resource and no further expansion to the north be allowed as discussed above. Thank you. Any questions?

MORRIS: Haven't they already pulled their boundary back significantly from their original request?

DYRLAND: None in terms of how it impacts the area. I think --

MORRIS: But wasn't their initial boundary request across Salmon Creek?

DYRLAND: Well, they ran it right down to the river --

MORRIS: Yeah, that's what I thought.

DYRLAND: -- which had obviously made it much worse. But the drainage is the same direction, it splits on either side, goes both south and north. As I pointed out, the north affects that Steelhead tributary that was discovered in there, that's fully functional. And incidentally, they've gone in and did some land clearing and tried to divert that stream which is something that is legally not allowed to be done and nobody knew about it. And the other part again is, it drains to the south supporting that Manly Creek Road channel and it's the heart of the stream, it is a spring fed channel. Because it's such a narrow drainage, it doesn't get water like other tributaries do, it depends on the spring. So your options are much more limited. It's not a -- it's a very unusual situation, it's a very narrow valley and drainage.

PRIDEMORE: One of the things, Dick, and I mean building on what you were saying, Commissioners, you guys have been involved in this process from the beginning and Battle Ground wanted to go significantly further than this and I know there were people, including me, who kind of negotiated cooperation and agreement with Battle Ground to pull back from the river, specifically back above the ridge line, which they did, and which I appreciated them working with us to do that, this is coming in fairly late now.

DYRLAND: This has always been our position with all due respect. And we appreciate the efforts you folks have put forward, but it didn't solve the basic problem of protecting the spring area, that's always been there, that's why we were concerned is that pulling back did not solve the basic problem. And I believe that Fish and Wildlife testified to that too.

MORRIS: Is it just the zoning or do you just want them not to go there at all?

DYRLAND: I believe it's 5-acre rural something.

MORRIS: It is now. But I mean is the objection to it being the zoning that's proposed for it, the business park --

DYRLAND: Yes.

MORRIS: -- or is it just anything at all?

DYRLAND: No, it's the business park industrial campus because of this surface area that --

PRIDEMORE: So if it was zoned residential would that be okay?

DYRLAND: Yes. We've looked very closely at the impacts of residential zoning compared to other types, to the light industrial, and residential does not have the same significant impact.

STANTON: Even more dense residential?

DYRLAND: That, that's a good point. I would say we'd prefer the 5-acre restriction. If you start getting denser than that and you're getting -- you're just creating the same problem in a little different configuration.

MORRIS: Other questions?

STANTON: No, I was just wanted to clarify that because when we talk about residential and leaving it inside the urban growth boundary, we're talking 5,000, 6,000-square foot lots.

MORRIS: Right.

DYRLAND: Yes. That we would have a concern about because that would be too dense.

PRIDEMORE: Is there anything in design, I mean business parks do things a lot differently today I think in places like Nike campus or something where they have more open space, it's not all just one big huge parking lot, but that there are areas to recharge and things. Is there any --

DYRLAND: I'm very familiar with those type of systems and that in a parcel of that type or that geology and the relationship with the spring just doesn't offer the mitigation that's needed, it would take a much bigger area. I mean I'm familiar with the Nike area, I've flown over it and I've been over there on the ground. A good question, I appreciate that. Any other questions?

MORRIS: I think that's it.

DYRLAND: Thank you.

MORRIS: Thank you. Okay. Again we're moving from the aisle to the wall. Yes, sir.

KENNON: My name is Richard Kennon. I live at 37814 NE 234th Avenue, Yacolt, Washington 98675. I'm here as a director of the Native Fish Society, a fisherman and a resident. I'm talking about the same parcel that Mr. Dyrland just talked about. We have a lot of concerns that this will affect the fishery both in the East Fork and Manly Road Creek. Excuse me, the State of Washington Growth Management Act has specific goals for Cities to meet and we feel that Battle Ground's grab for the Lewis River to be placed in the urban growth boundaries violates all the following goals: Reduce sprawl, encourage retention of open space and

development of recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and last, protect the environment. Your present map for the urban growth plan is allowing Battle Ground to create a business park for the parcel at the northwest corner of Highway 503, 244th Street and almost west to 112th Avenue. That whole plateau there west from 503 and 244th south on 112th along 239th is a very large important aquifer that provides critical spring discharge into both the East Fork and the headwaters of Manly Road Creek which starts its journey across the road from this proposed industrial park.

I'd like to point out that about 18 to 20 speakers spoke up against the zoning changes in the Battle Ground City Council meeting when they voted to include this area in the growth management plan and there was only the affected landowner and his attorney spoke up against including this proposed change. I would like to remind the Commissioners of Fred Holzmer's letter sent to the Clark County Commissioners dated November 20th, 2002, I have a copy of it here if you'd like it, which explains a (inaudible) very clearly and the problems of developing the lands in this area. Mr. Holzmer is a registered Washington State Hydrologist who can't be here because of job commitments. It is common knowledge from the Department of Ecology and the Storedahl hearings that this reach of the East Fork is having high temperature difficulties. When I mention salmon I also will include Steelhead and Trout.

Mr. Holzmer points out that salmon habitat is not limited to just the river channel and he points out that an undisturbed hydrologic system is the key to preserving salmon habitat. An undisturbed hydrologic system developed slowly a balanced dynamic that maximizes the infiltration of rainfall to the groundwater system, which in turn reduces the magnitude and frequency of flood flows during the rainy season and maintains steady stream flows during the dry season. This in turn reduces stormwater runoff and erosion or sediment transport into the streams as well as bank erosion, and maintains high water quality as a result of reduced sediment and chemical loading and provides a steady, clean supply of cold water during the hot summer months. And by the way, right now the temperatures down in the lower part of the river are running about 78 degrees which is lethal to salmon and any further reduction in flows into the East Fork from these spring areas will cause a further increase of stream temperature.

Development changes the hydrological balance. The groundwater contributes to the stream flow on the west side of the Cascade Mountains is generally on the order of about 65 percent of annual stream flow. Seasonally, groundwater discharges includes springs, provides nearly 100 percent of the stream flow during the summer months when rainfall is less. In addition groundwater remains cool year-round at approximately the average annual temperature of 54 degrees in the Vancouver/Portland area. Groundwater provides a stabilizing influence of both stream flow and in-stream water temperature which is very important to salmon during the summer months. Following development there is a large shift in the hydrological cycle due to disturbance and native vegetation and soil, plus the construction of impervious surfaces including buildings, roads, driveways, sidewalks and parking lots. Much of the rainfall that previously infiltrated to the groundwater in the predevelopment system now becomes, excuse me, I lost my place, becomes increased stormwater runoff that is released to the nearby streams in a matter of hours instead of weeks and months. This post-development shift in hydrological system leads to flood conditions that cause stream bank erosion, general widening, in-filling, siltation of gravel spawning gravel, increased temperatures and water quality degradation.

If development is to be protective of salmon habitat, urban growth must be carefully planned to provide protective buffers that will allow shallow aquifers, localized springs and tributary creeks. The hydrological system of the river such as the East Fork is not limited to a few hundred feet or even a thousand feet from the river. It is important to remember that salmon utilize multiple parts of the hydrological system during their various life stages including springs and tributary creeks. For these reasons the Washington Department of Fish and Wildlife has formally recommended in a letter to Battle Ground that an appropriate buffer to protect the hydrological system and salmon habitat of the East Fork is to remain, is to maintain the rural zoning north of the current Battle Ground city limits. And in that letter they also state that that buffer should be a minimum of one mile away from the river. And I have a copy of the letter here if you'd like it.

The East Fork is in serious trouble. The lower East Fork has undergone extensive habitat damage due to various development activities. Clark County has an \$18 million investment in the river and its health. I ask you to protect this Clark County investment. Let's work together to preserve the health of the river. You have a lot of partners who want to reclaim the jewel of Clark County. The bottom line is this rezoning of this land to commercial use will change the hydrological balance. We're slowly losing valuable Salmon and Steelhead. Fishermen pay thousands of dollars for a week of fishing for Steelhead that are not as large as our world record winter sized Steelhead in the East Fork. Let's work together to rebuild a valuable resource that belongs to all of us.

MORRIS: Mr. Kennon, are you familiar with the City of Battle Ground's aquifer recharge regulations?

KENNON: No.

MORRIS: Or their stormwater regulations?

KENNON: No.

MORRIS: Okay. Thank you.

KENNON: Would you like the copy of those two letters?

MORRIS: I think if you'd just hand it to the clerk she'll make sure we get it. Other questions?

KENNON: Thank you.

MORRIS: Thank you. Okay. Is there anyone remaining who would like to speak on Battle Ground? Okay. We'll move on. We're ready for Vancouver. And is there anyone here, I don't recall anyone being here for the Fisher Swale area? Anyone for North Salmon Creek? 179th? Mr. Vartanian.

VARTANIAN: I'll be slow. Good afternoon. I'm George Vartanian, I'm representing the Fairgrounds Neighborhood Association. I reside at 2217 NE 179th Street, Unit 5, Ridgefield, 98642. The neighborhood association is reasonably pleased with what we've done, with what the Board has done and what the staff has done with the general area that in front of us right now;

however, we would offer a couple of thoughts. That red area that is the community commercial on the northwest corner of 29th and 179th, given that that area is going to be pretty well surrounded by residences and the mixed use area, I think, we think community commercial may be a little bit too intense and would you consider or we would ask that you consider extending the R1-6 zone down to 179th or changing that to a neighborhood commercial zoning area. As far as the language in the code currently for the mixed use zone, and I know I was involved in some of those conversations, I would also ask your consideration to perhaps change the language for 10 acres and up for 50,000-square feet to 100,000-square feet rather than permitted to change that to conditional because the neighborhood is quite concerned about what kinds of stores are maybe going to go in there if they can go up to 100,000-square feet. We realize typically the bigger box stores are bigger than that even, but we'd just like to be able to look and see what's being proposed, and especially when it's so well surrounded by residences. Keep in mind that there's going to be -- well, it's currently community commercial, but zoning has been applied for to take it to highway commercial on 179th and I-5 which is within the current zone.

And we also despite what others may think think that mixed use is quite a viable alternative, especially up in this area because there's going to be a lot of homes, a lot of shopping is going to be going on, and there's going to be some businesses that could put people to work in this area and it gives us a good alternative rather than going into Vancouver or Portland or over to the mall. We really think mixed use is a very good use of that area. That's all I have.

MORRIS: I'm hoping for a Nordstrom's somewhere out in our neck of our woods.

VARTANIAN: You talked me into it. Thank you.

MORRIS: Thank you. Anyone else here who would like to talk about the 179th Street area of the Vancouver urban growth boundary? Then we'll move on to the 50th Avenue area of the Vancouver urban area. Anyone here who would like to speak about that? Okay. We're running out. I'm curious to see what people are here for. Okay. Next is the Vancouver urban area 117th and 119th. Would you like to come together or --

WINTERS: Yes.

MORRIS: Okay. Please do. Are you a team?

WINTERS: Not quite. I'm a property owner and Dale Kerlin is a developer.

MORRIS: Okay. You're partners maybe?

KERLIN: No, we're buying the property hopefully.

MORRIS: Okay.

KERLIN: Okay.

WINTERS: Jerry Winters, 6605 NE 74th Street, Vancouver, Washington.

HOLLEY: I'm sorry, Jerry what?

WINTERS: Jerry Winters.

KERLIN: Slow down, Jerry.

HOLLEY: Yes, slow down just a little bit, please.

MORRIS: Her fingers don't go too fast, especially after this length of time.

WINTERS: All right. Thank you. I come to talk to the Commissioners, I have, I've probably attended 10 or 12 meetings and a couple of open houses and I didn't have anything to say, I didn't take an opportunity to come forward for testimony, but the piece of property that, that I own they changed the color on the map a couple of times and it became an industrial reserve overlay. Well, in the interim we've had an offer just recently, in the last couple of weeks, from a developer and he got pretty serious and then he plopped down the money and we had put into escrow, but he come down and talk to the County and he didn't really have a full understanding of industrial reserve and the comprehensive plan and the 5 to 10 to 20 years and he's asked me to come down and ask to be included in the urban growth boundary where if it was included, and I think it's Vancouver's area, but the Clark County urban growth boundary, then if he could get any kind of zoning change within 12 months, he did a contingency option on going through with the sale.

I think I need to explain a little bit on the map where they're pointing. The hatched area there is rural urban reserve 20 I think, and then my section would be an Ag-20 with an industrial reserve overlay. And I've got some smaller additional maps in, in your packets that show a neighbor also that listed theirs for sale with another real estate and listed it for the industrial reserve on speculation of growth. So in my packet I've got a couple of options of how the boundary could change. I wouldn't want to ask to bring my 20 in as an island or a pocket and by moving the lines and including the neighbors that have asked to be industrial and I think it would be to change our zoning to light industrial, the, would be the square piece or the square piece with omitting the corner which has some residential development and small farm stuff already on it there off of 119th Street, I think it shows pretty clear on the current boundary map, and then we got a proposed boundary change that the word "DIFFERENCE" and the arrow actually shows incapsulating another piece of land in the, in the plan.

I did sit through the meeting and I heard the presentation for the Bowyer's Golf Course is just up the street and approximately the same size and I believe it went to commercial, community commercial, which does look like it will be good for that area. I think down the street if we can start the industrial a little sooner than the plan was today, it will really be a place to start. And I went through the research of everything I picked up here and I found quite a bit of things that lean towards reasons it would be good development and I don't think I need to read them, I have a page of them in the packet that support what we'd like to do. And for the Commissioners and anybody interested, I would like Dale Kerlin to talk a little bit about the possible development and on the I think the last, the last page I think I added in each packet is an idea of how the development would go on that 20-acre piece and the suggestion of breaking it into five 5-acre pieces but the same developer would do the whole thing and have the whole thing, but it's kind

of a conceptual start of what, what could happen there. Would you like Dale to explain the --

MORRIS: Sure. Mr. Kerlin.

KERLIN: Absolutely. Thank you.

WINTERS: -- (inaudible) development.

KERLIN: If we could put this map up here in just a second.

WINTERS: Oh, the last page? I got a loose one, Dale. Is it going to be this one?

KERLIN: There we go.

ORJIAKO: Is this what you wanted?

KERLIN: Please, thank you. What we have is a professional business industrial park concept that we've done in other areas, notably Rye Canyon, California and Bend, Oregon and I've been developing here in the Vancouver area for about six years now. Six or seven years. A year and a half ago I had an opportunity on another smaller piece of property to bring one of the tenants that I've dealt with in the past but the property was not large enough, it was just right at one acre. That has since been developed or is in the process of being developed as an archival storage facility. We have looked at this property actually quite a while ago and worked with Jim Barnes, a wetland scientist, to make sure that there were no issues with the property in terms of wetlands or other things we'd have to deal with. At the time I was working with a real estate agent and I thought that the property was coming in as industrial, light industrial manufacturing, I was not aware that it was coming into a reserve situation where it would be essentially not developable for quite a period of time.

So I did bring my group together, we did make an offer which the Winters family has accepted it was actually about a month ago, a month and a half ago, and as part of our due diligence we came down here a couple of weeks ago to meet with the long-term planning. They said, well, you know, you can grow Christmas trees out there, this is not our goal at all. We do have a very specific plan of development for this and it would be, it would generate a minimum of 35 jobs in the very near future. I don't know if you want me to go into the specifics of what types of jobs they are, but it's a really, really good business and the people I'm working with would be relocating their corporate offices out of Swan Island over here to Vancouver, that is a definite goal that they have in mind which would involve 18 office personnel among other things. So we really do have a very specific development goal here on this property.

I'm looking at your long-term, long-range planning and it shows a tremendous amount of single-family development directly across the street, opening up a large area for development which would be just to the south. I think that this would be extremely complimentary to that type of development in that it would give a lot of job opportunities within a matter of blocks in people's residential areas, there would be less -- what it would be is it would be reversing some of the commuting, you would have people actually going the other direction, potentially as many as 120 people over the long-term, and I'm talking 10 to 15 years for the full development of this.

I would hope that it's not too late at this time to bring this property in so that we can move ahead on this.

I know it's -- I've heard you comment earlier about the fact that some people are coming up with last minute, oh, please Lord, let us do this, and I really apologize for this, it was just on my end it was a misunderstanding and misinformation. I would actually really truly believe that this property would be developable with -- oh, one of the comments that I received was that if you have a development plan, the County is looking for job growth in a year, they want to develop the type of business, so, yeah, that would be perfectly, that would be a perfect fit for what the urban reserve boundary was all about, industrial urban reserve, I think that's what it's called. Anyway, I do apologize for my misunderstanding on this. I don't know if there's anything at this point in time you can do, but I certainly hope that there's a chance that the Winters family can bring this in as a current zoning so that we can go ahead and develop on it.

MORRIS: Can you clarify for me where this drawing is on your map? Is it on Mr. Winters' property?

KERLIN: Yes, it is.

MORRIS: And how do you access it?

KERLIN: It, there's a -- it would access off of 132nd and right, right up there, right at that point.

WINTERS: The hatched area is 20 acres and the area directly behind the hatched area is another 20-acre parcel, and then 90 degrees to that is a 20-acre parcel on the end, that's the neighbor that has listed theirs as industrial reserve and possibly has an offer there. They're not -- they did not tell me what, what they have going on, but they thought they had an offer too that somebody's buying on speculation of industrial reserve. But that ties 40 acres together, but the first 20 still looks like an urban industrial reserve overlay is what is proposed there and that's what I would propose if we were to go in, they would stay industrial urban reserve. Because my understanding is they could still be residence or farms, but actually I would, we would like to tie that up with -- I know one of your questions is, well, what zone were you asking for and I did say light industrial, but I look on my paperwork ML is the abbreviation for light industrial and that that's the goal we were looking for to come in to help the County make their plan of what I understand it to be is get the jobs out of Portland and get them back in Vancouver and so we can work where we live and I think this is a real good opportunity to work where we live and a lot of residential property available in the area in the near future.

KERLIN: The other thing I'd like to comment on if I may, Ms. Morris, is that this property has the ability to split it into four parcels and put a major -- it does not front on for instance 132nd or 119th, what it does is it fronts internally and the total development would match that as you go down so that the road that we showed currently with a hammerhead turnaround would actually potentially be an extension through, all the way through to the main thoroughfare which would give a good reliever secondary road access into future development, so it would not rely on 119th ultimately and it would not rely on 132nd. Although our understanding is that there is a traffic light scheduled within a five-year period of time out there on 132nd and 119th, I don't know how accurate that information is, but it's something I've been told that there are road

improvements scheduled for out there and lights, traffic lights.

STANTON: Oliver, would you leave that up just a minute. I'm just trying to understand. Originally I thought you wanted the boundary drawn around where your black line is, and then I thought I heard you say that you just wanted the purple part of that to come in now and the remainder that has the cross-hatching on it to stay industrial urban reserve. So in other words those people who are right adjacent to 119th--

WINTERS: Well, I just didn't think I could make a decision for my neighbors. I own a little inward and I did not want to come down to the Commissioners and say I want to take this piece in but I'm not connected to the proposed boundary line. I was more comfortable coming down with an extension of the proposed boundary line than an island or a pocket and, but I clearly don't have consensus with my neighbors, I don't know any of those people. I bought 30 years ago and I live in the city and there's been some different development and residential there, but it's always been Ag-20. And the changes were rather rapid with the plan, and so was the sale, and so then we come forward to see how we could include it. But I know the other neighbor to make it a square 40 does want to be industrial and I've got some documentation from them in the packet from their real estate agent and they listed it as industrial reserve.

STANTON: I don't remember if this was on any of our plans. Was it, Bob?

HIGBIE: I don't believe so.

STANTON: So in essence there's been no public notice that you desired this change which makes it very difficult for us to implement it.

PRIDEMORE: I don't, I don't, I don't want to throw a wet blanket on things here because I actually appreciate your enthusiasm and you being very respectful in making the request, and I certainly understand how things come up late, the challenge is in five years now we've had a lot of people come in and ask for these kinds of decisions, but I, frankly I like what you're talking about doing here, I like the idea of the jobs close to the homes and all the rest of it. Had we had this bigger discussion we might have been able to do bigger visioning in this area, but that was like a couple of years ago in this process, so just going in at this late date I'm going to have to be 90 percent unlikely that, that I could support doing this and I apologize for that.

KERLIN: I totally respect your candor and your comments to the other people that have spoken here tonight. Or this afternoon. I think you guys are, Commissioners are very straight shooters and I do appreciate that. I know this is the last second, you know, appeal, very much the last second appeal. If there's anything that we could provide in way of documentation or any additional incentive, you know, we're more than happy to do that in terms of the types of jobs or the types of businesses that are wanting to come to this site. And we don't -- I'm not going to tell you that we have it fully committed because we don't, but we do have three fairly firm commitments to do a development in this area which is more than -- I was very surprised, to be honest with you, that people saw this as a great location.

PRIDEMORE: And I hope if this particular --

MORRIS: It is.

PRIDEMORE: -- area doesn't work, we do have some good business park --

KERLIN: Well, I'm looking, you know. I won't quit looking.

PRIDEMORE: -- land nearby there that I think (inaudible) --

KERLIN: Can I be really candid about that as a developer and builder. Price makes a tremendous difference. The parcel that we looked at a year and a half ago at 325 would have worked -- at 325 a square foot would have worked for the one party, at \$6.10 a foot it didn't work. And I think you're finding that light industrial property has edged over into the \$6 a square foot number. This is a parcel that works because of price, it's a huge -- price point is a monumental item when you're looking at this.

PRIDEMORE: But one of the reasons that the price is so cheap is because it hasn't been contemplated --

KERLIN: Exactly.

PRIDEMORE: -- as possibly coming in and that's --

KERLIN: No, I understand that. I just -- I'd really hate to back away from this because I'm excited about it. That's all.

MORRIS: And we appreciate your enthusiasm.

WINTERS: Well, besides being late I wanted to bring it forward to be the property owner to volunteer to bring it in or to ask to request to bring it in, but also in bringing to the, to Clark County a customer that is willing to be there already, I'm not, I figured I don't have to go out and drum up the business, it's come already loaded. And so I'm looking for equal opportunity, an opportunity for me to retire because I have various reasons why I need to. And it's a 30-year investment and I don't know if I can wait 7 years or 10 years or 23 years. So I just have my fingers crossed and have a developer that's ready and have a developer with partners ready, have customers ready to, to move in and it's just an opportunity. And if it could help the tax base, it can help the neighborhood, it can bring the jobs home, I think a good opportunity for everybody.

MORRIS: Other questions? Okay. Thank you very much. Appreciate it.

KERLIN: I want to thank you very much too.

WINTERS: Thanks.

MORRIS: You bet. Is there anyone else here who wanted to speak about the 117th/119th Street area?

MEYER: Yes.

MORRIS: Please come up.

MEYER: My name is Gene Meyer.

MORRIS: Why don't you just scoot over into the other chair if you don't mind. These are pesky little things and if you're not real close to them, sometimes they won't convey your voice.

MEYER: My name is Gene Meyer and I'm here pretty much in support of what -- I happen to own a piece in the mixed use section there on 119th and --

ORJIAKO: Is this yours?

MEYER: Pardon me?

ORJIAKO: Is this your property?

MEYER: The front, it's this little piece right there. Correct. Uh-huh. And I wanted to come in and express my opinion of that, and then also ask why they decided to put that -- make the recommendations for mixed use in that area being so far from 117th and --

MORRIS: Do you like it or not?

MEYER: Well, yes, I do. I'm in support of either one way or the other the -- I understand there's a lot of protest from a big subdivision back behind us there that does not want to see this, any of this development take place and I don't feel that's right. I think that this should move forward. And, Kathy, have you got anything to add that --

HOLTBY: I'm Kathy Holtby with Prudential Northwest Properties and I work with Gene. From all the growth that we've observed from, you know, all of the last two decades, you definitely have to contain it and control it so it can go forward and this is just a natural progression from what we've seen in looking at the development trends up 117th and 119th and being able to facilitate the growth and the numbers of people that are coming to the county. So we were just wanting to voice and acknowledge that we agreed that, that this is a good plan.

PRIDEMORE: Maybe, Mr. Meyer, I'd like to address your earlier question about the mixed use and what the intention is. From just speaking as a smart growth advocate and a supporter of mixed use development, what my vision would be for this area to develop would be for you to work with your neighbors and plan a development where you could have some small scale retail kinds of uses like Starbucks or some of those places where people would be able to walk to places that serve them immediately rather than have to get in their car and drive to, you know, a big Safeway super center or a Wal-Mart or what have you, that there's things close to your home, that's kind of the thinking behind mixed use. We have had a lot of discussions over the past few months about how practical that vision is for suburban areas like this and so it's still a topic of hot debate, but that's the thinking behind it.

MEYER: I do have a further question. Now let's take the whole block in general there. If there

is landowners in there that do not want to do anything with that property other than just let it sit and perhaps donate it or use it for something else, and I'm speaking of the major landowner in there, that pretty much leaves the other three of us landowners in that section with fairly small pieces of ground.

MORRIS: How large is your parcel?

MEYER: Pardon me?

MORRIS: How large is your parcel?

MEYER: It's 2.2. There's an existing dwelling and a shop. And it is on a corner piece so that's pretty helpful. And then there's one other landowner that has a 5-acre tract I believe in there and, and then a person that's behind me that just purchased that home that's basically, I don't know if he's got a half an acre or a quarter, but he doesn't have a whole bunch.

PRIDEMORE: So that larger landowner there is not wanting to develop?

MEYER: I don't think that landowner will do anything with that property.

HOLTBY: So with that in consideration (inaudible) to be able to do mixed use development and before I went into residential sales and consulting I did ten years of appraisal and commercial real estate of development and feasibility so I'm very well and experienced in looking at the development trends and how commercial developers and owners will want to look at the feasibility, and in order for much to be done at all with mixed use it would take the cooperation from my experience of all the landowners in there. And especially without the cooperation of the major landowner who surrounds all the little pieces, that it would not be viable.

PRIDEMORE: I can see that just logically. In our mixed use, proposed mixed use, we had a 2.5 acre limit or something? What is it?

HIGBIE: The proposal to exempt developments from the mixed use requirements is one acre and smaller.

PRIDEMORE: It's one acre.

MORRIS: And smaller. So he would be required to do the mixed use --

HIGBIE: Correct.

MORRIS: -- a mix of uses there?

HOLTBY: And with the 2.2. And then the other consideration is that in order to accommodate the growth and being aware of the research that we've done with the improvements for the expansion of 119th which will be critical for all that development, that's going to take probably a significant portion of his frontage. It will still leave him with a good portion, but it will reduce what then viable land that he would use for development and then you'd have the setbacks from that, so we're looking at I mean feasibly that could take an acre of his 2.2.

PRIDEMORE: Well, your setbacks wouldn't be quite so severe but your (inaudible) the frontage --

HOLTBY: If they go from the three lane to the five lane plus the turn lane that which is critical.

PRIDEMORE: No, no disagreement on that.

HOLTBY: So that's a consideration is are the -- the one concern we do have is the true viability of this particular location for mixed use and if it can't be mixed use at least being having it included in as 6,000-square foot lot, which is all the surrounding zoning.

MORRIS: Are you asking for R1-6?

HOLTBY: That would -- if the mixed use cannot be viable, which in my opinion based on the information that we have with the surrounding landowner and knowing, for example, Mr. Meyer here only has the 2.2 acres and the other people having a 5 and I believe a one or a half acre is it, and then the other person actually I think has plans to donate it to a park upon her estate.

MEYER: Yeah, you probably know who the landowner is, Doris Troxel, and she tells me that she has got the rest of that land tied up in a trust and that it is to be used for County park and she just has a fit to think if it could ever be used for anything else and she's bound and determined that's what it's going to be used for.

HOLTBY: So maybe what could be considered is looking at it from the standpoint of maybe increasing the exclusion from the mixed use so it could be R1-6 if all the landowners cannot be put into a cooperation to truly develop what is envisioned there, which I think would be a great addition in looking at it from a community type retail or day-care center or that kind of thing that would serve the surrounding area, something that would allow for that R1-6 instead if it can't be done into cooperation.

MORRIS: Well, we don't have anything like that right now, we either have brown or mustard.

PRIDEMORE: Spicy mustard.

MORRIS: Yeah, it is, left the top off.

MEYER: Well, I have no problem with it, the way it is provided I don't get locked out. Now I realize that sewer is quite a ways from there before it's actually going to be probably brought up into that area.

PRIDEMORE: Well, the Hazel Dell Sewer District suggested that this could be served by sewer so it's probably not -- if this comes into the urban growth boundary, it's probably not as far off as it would be if this area stays out.

MEYER: Yeah, because if it stayed out basically, then it could -- the mixed use wouldn't be of any value for who knows how long.

MORRIS: Yeah. But you are right about that being difficult to work with, both yours and the other 5 acre, if the whole thing really and truly is to go into a conservation area.

PRIDEMORE: Gene, is that something that she has in a -- is there a written commitment to that now or is it something --

MEYER: I believe that she has taken care of it through an attorney.

PRIDEMORE: If you'd just let me finish, please. Is there Parks actually has plans for this area, that kind of thing?

MEYER: Not that I know of. And we've talked to her about it and said --

MORRIS: Judie knows her and so do I.

PRIDEMORE: But if it's locked up and committed, then I, then it -- but if it's just her dream to do that, that doesn't necessarily mean that's going to happen.

MORRIS: I suspect she's taken steps to make sure it does.

HOLTBY: So with these considerations, maybe the thought would be to change instead of a mixed use do a R1-6 zoning for that entire area and not the mixed use zoning.

PRIDEMORE: Is 119th through here planned for five lanes or three? I thought it was three.

DUST: Five.

PRIDEMORE: Is it five?

STANTON: Five.

PRIDEMORE: Heck, we'll probably end up buying the whole piece.

MORRIS: No, she's giving her's.

STANTON: No, no, he's talking about this one, the 2.2.

HOLTBY: You could very well.

MEYER: Well, anyway, that's what we wanted to do is just come and voice our concerns over where it stands. So I'm not opposed to either, either or as long as it just doesn't lock me up and leave me sitting with a piece I can't do anything with.

STANTON: Sure. No, you're right, it makes sense.

MORRIS: Okay. I'm sorry, I didn't jot down your name, would you give it to me.

MEYER: Gene Meyer.

MORRIS: Is it G-e-n-e?

MEYER: G-e-n-e, uh-uh, correct.

MORRIS: M-e-i-e-r?

MEYER: M-e-y-e-r.

HOLTBY: Holtby, H-o-l, t as in Tom, b as in boy, y.

MORRIS: Thank you very much.

HOLTBY: Thank you.

MEYER: Okay. Thank you for listening to us.

HOLTBY: Appreciate it.

MORRIS: Is there anyone else here today, then, who would like to speak to this particular geography, 117th/119th area? Okay. We have one more to go which is 162nd. Anyone here who wanted to talk about the Vancouver urban growth boundary area for 162nd? Anyone here? Okay. Well, that's the end of my list. Yes.

LISS: I signed the second sheet for (inaudible) Fisher Swale.

MORRIS: Do you know -- for Fisher Swale, oh, well, just come right on up then, please.

PRIDEMORE: James, we finally wore you down on testifying about 162nd?

HOWSLEY: You'll be getting my testimony Monday.

LISS: I don't know how I missed it.

MORRIS: That's all right. That's fine.

LISS: Well, for the, for the record my name is Art Liss and I live at 19502 NE 14th Circle in Camas. And do we need to point to where my section is?

ORJIAKO: This is the Fisher's Swale area, let me know where you are, I can point it out.

LISS: Right, right there.

ORJIAKO: Right here.

LISS: That development is called Morning Meadows. I, I know a number of my neighbors have spent time E-mailing so I don't necessarily have to speak for my neighbors, I just need to speak for myself and just maybe air or share what it is that I think the neighbors are concerned with. As to the development itself, it was approved and I guess the development started about 1989, 1990, my wife and family moved in in 1990. And the basis at the time was that there are 25 homes on one-acre parcels. Not really recognizing zoning numbers, all I knew was the dynamics of what we were told when we bought and that is when you build, you build either on the front half or the back half, you don't just put it in the middle. And the assumption there was that if the back half or the half that's undeveloped became developed, a home of comparable size and look would, could be developed so you could have basically two homes on one acre. Well, to date no one has really done that. I mean we've had outbuildings being built, but not really a second, a second home.

Of course the other aspect is whether it's germane to the topic, just to the left of where you see 192nd is the -- is part of Section 30 the northeast corner. We in this development have only one access road which is the one that you can sort of see from the end on 192nd that's 13th Street, and the north of us you have 18th which eventually will be developed into a five-lane road. 192nd is being expanded and has been over time, and so we only have one access to get through. So part of the concern of the neighbors is eventually it's not so much the development of Section 30 I think, it's just the time that it will take with the construction and the expanding of roads and our inability to get in and out from only one section of that.

I believe that when we bought we were considered as being in the urban reserve. I don't know if that's considered as R-20. I know now by the nature of the yellow it's being considered as R1-10 or R1-10 or 1-10, the same thing. What this really does is you now have a development of 25 reasonably mature homes on one-acre parcels of which one half was built and the other half wasn't, but potentially you now have the remaining half acre available for development. Well, originally that wasn't the intent of when everybody bought, it was to know that if you wanted to develop, you would, and in 12 or 13 years nobody's really done that. So my fear is is that there may be some unconcerned property owners that maybe when Section 30 eventually starts and construction starts, they may just want to back away from where they live, sell, and if the back half acre is available with rezoning, you now have 25 homes on one-acre parcels with the back half now being developed with maybe one, two or three homes depending upon whether it's a duplex or just single-family, which really takes the character of the neighborhood and totally changes it from the original component.

Now of course we're in the unincorporated area so there's potentially the annexation issue of going east beyond 192nd, but also in my review of the South County comp plan going back to 1988 it discusses different issues. And one of the issues is sewer systems and of course we're all on septic, which was the approval at the time, but it does say here, and this is something to maybe consider I quote, when water and sewer are available, it is recommended that the area north of SE 1st, which you can see the 1st there, and east of 192nd to Lacamas Creek be rezoned to an R1-20 zone. So do we have to wait for sewer to be what it was that we were when we bought, recognizing that potentially we could be changed. Because, frankly, if that's the case, then this is still a document that is in force as we speak, then that means that this South County Comp Plan Resolution 1988-03-21, Exhibit H, would call into question that when that does ever happen, the rezoning and what they said here was in order to recognize and maintain the existing

large lot residential development which has occurred in this area. So to me it appears this was in effect the development might have already been approved. We bought in not recognizing this, but just recognizing what we were supposed to do. And then of course I have no idea how long it would take to get sewer and water. Frankly, personally I don't really care because we have septic and we have a community well that's there, but I would think that would be a further consideration.

So my, my request is if we were, and again I'm not really clear on the terminology, if someone could help me, please do so, if we were considered as urban reserve with a designation of R-20, I would prefer that the neighborhood be able to keep the integrity of what it was that was created when people bought in. And for only -- for any reason other than profit there would really be no reason to take a neighborhood with the dynamics and the maturity of this time frame and change it for nothing that has anything to do with the neighborhood, it has everything to do with profit and I don't know if you're going to get that much value from those 25 one-acre homes to try to somehow take that half acre and further develop that. I would prefer to try to see if we can maintain the originality of what it was, coupled with the fact that if I'm reading something not out of context but reading in actuality of what it assumes to be, you know, when water and sewer are available the rezoning would be R1-20. So in my ignorance of not knowing all the particulars of the zoning process, I just want to just fall back on my basic statement for myself as a resident there. And I'd like to say I can speak for the others, but they need to be present to speak for themselves that the integrity of the neighborhood and as it's evolved is very important to us, as it has been for most of the people I've sat here and listened to who -- and passionately have indicated their desires for their pieces of what exists in Clark County. And I know your task with having to draw the lines and make the decisions, this is just one little portion of that that I'd like just to say which I have. And other than that, any question, please let me know and --

MORRIS: Mr. Liss, do you have covenants on your subdivision?

LISS: Yes, we do.

MORRIS: I believe your covenants prevail.

LISS: Okay.

PRIDEMORE: Is that, does the covenants speak to the number of units you can place on your property?

LISS: If the covenants were -- good question. But if the covenants were what we were told when we bought, build in the front half or the back half, then I would say two units.

PRIDEMORE: So if that's, and if that's copacetic with you, you're -- what covenants you have on there --

MORRIS: Right.

PRIDEMORE: -- is going to trump our land use.

MORRIS: Right.

PRIDEMORE: So even if we did zone it R1-10, none of your neighborhoods could develop at that density if it's contrary to your covenants.

LISS: And to the covenants, okay.

PRIDEMORE: And if you don't have covenants to that, I would suggest that establishing those covenants since I've heard from several people in your area that feel that way, establishing those covenants would provide you with more certainty over time than us zoning it because we can always rezone.

LISS: Right. So the steps to take for that to happen would be a consensus amongst the property owners, 80 percent, 75 percent need to agree to?

PRIDEMORE: I don't know if it's that much.

MORRIS: I don't know what it is, but I think you get a lawyer. I think that's the simplest way. And if your covenants are already in place, it wouldn't matter, you're perfectly secure.

LISS: Okay. And that's nice to know.

MORRIS: I think there are covenants as I recall because this was a major issue with the whole development community in our available buildable lands survey because they insisted that we did not have the capacity, that planning staff said because of all of the covenants, so I think somewhere I've heard that you definitely do have covenants.

STANTON: I seem to remember it as well.

LISS: Amongst the meetings that I've sat in that's sort of-- for me because I haven't sat in for all that the three of you have, it's the first reference that I've actually heard that the covenants would take precedence over the rezoning.

MORRIS: Well, it does unless you get a majority of the people who are party to the covenants or there sometimes it's 80 percent, I don't know what it is in your particular instance.

LISS: It's 80.

MORRIS: They could change the covenants. But other than that, other than their changing the covenants, they would prevail.

LISS: Well, I need to go back through and educate myself on where that is. Hopefully it is there. And if not, then I'll -- we'll need to have the neighborhood realize it in order for us to be what we want to be that we have to take the steps necessary to modify the covenant then.

MORRIS: Right.

LISS: Okay. Thank you. Appreciate that. Thank you.

MORRIS: You bet. Okay. Is there anyone else here today? I still see some faces of people who have not spoken, so is there anyone here who would like to speak?

WINTERS: Who has not spoken? Can I come back up?

MORRIS: Yes.

WINTERS: Jerry Winters, 6605 NE 74th Street and I'd like Map 11 back up again. Great. And to answer Craig Pridemore's statement or question I'm going to maybe ask staff a question to help me answer the question. If we was to go back to the map called Discovery Trail which maybe six months ago Discovery Corridor --

PRIDEMORE: Alternative 5?

MORRIS: Right.

WINTERS: -- and if there was a SEPA agreement vested would that mean that there was public notice given on the change at that time on the same area we're talking about that would incapsulate the Lagler Farm, the old Andersen Dairy Farm, and the parcels we were talking about?

PRIDEMORE: The question was whether that was on Alternative 5?

HIGBIE: It very likely was.

WINTERS: Would that help any of clearing up if there was public notice that --

PRIDEMORE: It's easier because it's covered by the EIS.

MORRIS: So was this on Alternative 5?

HIGBIE: I don't -- I can't say for sure, but Alternative 5 was the biggest alternative about --

PRIDEMORE: Alternative 1 was the biggest.

MORRIS: Yes, but it was the Discovery Corridor and actually it reduced a lot of the job producing lands elsewhere.

PRIDEMORE: I think it's Alternative 1 is the most likely that this might may have been on.

WINTERS: We went downstairs to Planning to try to ask a question so I wouldn't come up here not looking like I was -- didn't know what I was talking about, but they suggested we talk to Evan and --

HIGBIE: Evan just ran out for the EIS.

WINTERS: And I thought everybody was in the meeting and if I, I could come back tomorrow, but I thought I needed to talk today so I wanted to address that.

PRIDEMORE: But still just from my perspective that would make it easier, actually it would make it potentially doable, it doesn't change a lot of the other things that I had said, the concerns that I had raised about making this change this late when it hasn't been discussed as so many other expansion areas have been discussed. So it's important to know whether it was in one of those alternatives because that does mean something, but it --

WINTERS: I seen so many maps at the four different open houses I went to, I talked to so many different people with little short questions, I just wasn't sure what, what qualified.

MORRIS: You haven't seen as many as we have.

STANTON: We can relate to that.

WINTERS: Well, thank you again.

MORRIS: Thank you very much. Okay. There's a gentleman right behind you, Mr. Vartanian, and since he hasn't spoken yet that I can recall, we'll take him first if you'd like.

CORUM: Thank you. My name is Vance Corum, 510 East 25th Street, well within the boundaries, about a mile from here in (inaudible) neighborhood. I'm here today representing as a Board member of A Thousand Friends of Washington. A Thousand Friends of Washington is a statewide public interest group that has been working for quite some time since the Growth Management Act was implemented in 1990 trying to protect overdevelopment from destroying farms, forests and rural areas, while make cities and towns great places to live. We work with Cities and Counties to effectively implement the Growth Management Act and stop sprawl, and a substantial number, something like 200 of our members, are here in Clark County.

A Thousand Friends very much appreciate the efforts of the County, various City elected officials and City staff and all that's been done in terms of analyzing the comp plan alternatives. We realize that there are many difficult choices facing elective officials and the community; however, the costs of accommodating the rate of growth proposed in the comp plan are unaffordable. Consider these following examples: In the FEIS the growth rate is 1.83 percent versus the 1.5 percent chosen earlier. In the capital facilities plan report just in June the, except for Yacolt the transportation impacts of growth cannot be accommodated by projected revenues. For the Battle Ground School District it's unlikely the required bond measures can pass through the expensive school expansion needs and the District's bond election history. And finally, by increasing its system development charge, Ridgefield may be able to pay for its sewer expansions but will have little funding available for the necessary sewer lines. So we propose the following solutions: One, choose a lower rate of growth and reduce the urban growth area. Secondly, exclude land with extensive critical areas and agricultural lands of long-term commercial significance from the urban growth area as required by the Growth Management Act.

Specifically looking at some case history, in the City of Redmond versus the Central Puget Sound Growth Management Hearings Board, the Washington Supreme Court held that the agricultural land of long-term commercial significance should not be included in the urban growth area. Secondly, the Western Washington Growth Management Hearings Board also held, quote, the land speaks first. Only after a county's agricultural, forestry and mineral resource lands have been identified and actions taken to conserve them and its critical areas, including aquifers, are identified and protected is it then possible and appropriate to determine where on the remaining land urban growth should be directed pursuant to RCW 36.70A.110. Third, and finally, separately we've identified the agricultural lands of long-term commercial significance we strongly recommend be excluded from the urban growth area. The FEIS states that 2,758 acres of agricultural lands of long-term commercial significance will be included in the urban growth area under the recommended alternative.

So I think just in summation we can strongly say that as of A Thousand Friends of Washington we strongly recommend a reduction in the urban growth area, especially of ag lands in Vancouver, Battle Ground, La Center and Ridgefield. Any questions?

MORRIS: Just on the capital facilities expense issue, we are the first ones to do their ten-year update. Do you have knowledge about any county in this state that can pay for its capital facilities plans? Last year or the last time when we did these we were billions of dollars short collectively across the state. Is there any jurisdiction since then who has somehow or other been able to fix that?

CORUM: No. But I can ask staff if they can answer that question for you.

PRIDEMORE: Garfield County has a negative population growth, perhaps so they can.

MORRIS: I don't know if staff can answer that or not, but I could pretty much answer it myself. From my experience with the Washington State Association of Counties, there isn't a single one who can meet their capital facilities needs so.

CORUM: Your point being that we continue to go forward?

MORRIS: Well, my point is, and I was in the Legislature in 1990 when we passed growth management, there was a theory at that time that you could indeed -- and that the public sector could indeed somehow or other manage to do that. And it wasn't so much the rate of growth that made that impossible as it was changes in revenue streams to local government and the fact that during the 1970s and '80s there had been significant money available for capital from the Federal Government, from a number of different sources, only one of which was revenue sharing, and that in the early '90s when we began to see significant reductions in local government's ability to finance, we began to count more and more heavily on the private sector. And the City of La Center has indeed counted that private sector contribution as their way to balance their capital facilities plan.

My question and my query really has more to do with the truth of the way it works on the ground and what would you, how do you, how do you make it work. I mean, frankly, initially the

requirement from GMA was that you just took what OFM gave you and it required amendment to the statute later to give you a range of options in your population. And there is an assumption that somehow or other the Growth Management Act was designed to allow us to choose how fast we grew and the challenge of the Growth Management Act is to accurately predict your rate of growth and then figure out how you can accommodate that. I am always fascinated by the hypothesis that somehow or other in the face of blatant numbers to the contrary we are encouraged to somehow or other pick a lower population growth rate than has historically occurred and that somehow or other that will solve all of our issues.

To be even more blunt, my concern over undersizing is that that's exactly what you do, you undersize your infrastructure so that if you say you're only going to have a 1.5 or a 1.1 population growth factor, you size your sewage treatment plant for that, and then in case you get more you have to retrofit and that retrofitting is much more expensive than doing it right the first time. That is a clear philosophical difference among the members of this Board, very clear, but I am always waiting for someone to answer my question about this and help me to mesh the truth of what happens on the dirt with what happens in the theoretical mind. So that is both an intellectual and a pragmatic challenge to Thousand Friends of Washington and I hope they rise to meet it.

CORUM: Well, I hope, I will certainly take it back to staff and see whether we can come up with a philosophical and practical response to your query. And ultimately I would say given my own personal experience in the ag sector the last 25 years, specifically the last 10 years in Clark County, that the primary concern is that we have smart development and that we put people into proper size parcels which is why I chose to buy a house in the downtown core rather than, you know, R1-6 or R1, period. You know, I don't -- I want to see good development, good, good homes, good schools, et cetera --

MORRIS: Yes.

CORUM: -- and at the same time we want to maintain farm land. And I think perhaps I could add that I would like to believe that we can maintain the farm land in Clark County as much as possible. In other words slow the development onto prime ag lands. And I think that there is more to it in terms of solutions than simply zoning, it's going to take a major effort to assist the people that are on the land --

MORRIS: You bet.

CORUM: -- to market their products well because otherwise all this zoning doesn't make sense, the farms will not continue.

MORRIS: It really doesn't --

CORUM: -- and water will be -- become critical in that process.

MORRIS: And that's a very sensible thing you just said. I would love to work with you in that discussion. And I do have to compliment your former State director Steve because he was always very good about making that kind of an effort to mesh the theory with the truth in the dirt.

Because I know when I was in the Legislature and, Commissioner Pridemore, you just referred to this, the discussion was indeed, well, it is cheaper to pay for the sewer line if you have ten houses per block than if you have two houses per block, but the fact of the matter is you're going to have so many flushes and you've got to get it from the house to where you deal with what's flushed and if you don't size that correctly, you are in a whole lot of trouble. So there are many different dimensions to the discussion, but I thank you for recognizing the plight of the person who is trying to make a living off the land because they are very hard-pressed right now.

CORUM: Well, and I would welcome the opportunity to follow up on your comment --

MORRIS: Good.

CORUM: -- and actually perhaps create some real live solutions whether they are on a county basis or whether we go to the Legislature and make a plea for some specific farmers markets or roadside stands or ag tourism ventures here in Clark County to make sure that we can keep the farm land as such.

MORRIS: I'd like that.

CORUM: Thank you.

MORRIS: Thank you. Okay. Is there anyone else who would like to speak? Anyone else who would like to speak? Mr. Vartanian.

VARTANIAN: Actually can Matt come up and help these fellows because I can (inaudible) --

MORRIS: Evan is back.

PRIDEMORE: Just on the -- Evan brought up the Alternative 5 map and indeed that property is on that map so that it was covered under the EIS scoping thing, so just confirmed what we talked about earlier.

MORRIS: It was in 5?

PRIDEMORE: Yes.

STANTON: Yeah.

PRIDEMORE: And I think that would mean almost certainly it was on 1 as well because 1 was the largest.

STANTON: Everything.

PRIDEMORE: Everything was on 1.

MORRIS: Yes.

KERLIN: Could I speak or comment?

MORRIS: But you have to come and do it on the record.

KERLIN: Hi. Dale Kerlin, 5264 NE 121st Avenue, Vancouver. I've been to many, many, many Planning Commission meetings in my life, most of them lasting until 12:30, 1:00, 1:30, some horrible hours, I have to compliment you and thank you very much, this is the first time I've ever seen somebody get up, a planner or something, leave a meeting, go down and get a map and come back. I am really totally impressed. I can't tell you how much. Thank you.

PRIDEMORE: All right, let's bring him in.

MORRIS: Thank you. And thank you, Evan, thank you for going to get that map.

VARTANIAN: Thank you again for the opportunity again, it's still George Vartanian. I meant to make a couple of comments earlier that I didn't look at my notes properly. My comments earlier about the mixed use and the proper uses and all that are contingent of course on the expansion of the urban growth area. You know, we're not advocating an expansion, but if there was to be an expansion, what the proposition, what the proposals are at this point look reasonable to us.

But I did want to comment earlier and didn't on urban holding. I think to a neighbor we are all very strongly in favor of whenever areas come into the urban growth area that they go into urban holding. We just had a recent experience where some four subdivisions are being proposed in an area that 15th Avenue was supposed to have been. Unfortunately 15th Avenue isn't quite going in just yet and there may or may not be these subdivisions to contend with. We're trying to avoid that kind of a thing. For mixed use to go in for example or any development along 179th given the current size of 179th and 29th could be very difficult traffic conditions for high use of those areas when the roads have not been expanded. We realize 179th is on the docket somewhere along the line, but we don't think it's in the six-year horizon at this point.

So I guess we would offer or ask that before development is approved anywhere, that rights-of-way are in fact gotten or guaranteed. It doesn't necessarily mean the funding for the infrastructure to be built is there, but at least rights-of-way are acquired. Thank you.

MORRIS: Thank you. Okay. Last chance, anybody else? Anyone else? Okay. We will close the public hearing for this afternoon and we resume I believe at 6:30; is that correct? Okay. Great. Okay. 6:30.

(Hearing adjourned from 4:15 p.m. until 6:30 p.m.)

MORRIS: Well, good evening everyone. We're here this evening for a continuation of a public hearing that we started this afternoon on updates to our ten-year comprehensive plan. The plan was originally done in 1994 and we are in the process of updating as is required by law. We see some new faces in the audience. And we like to see new faces, that means more people are being involved. There are sign-up sheets at the back. If you did not sign up, please do so. And since some of you are new faces I don't know if you know all of the Board, but on my right is

Commissioner Pridemore, on my left Commissioner Stanton, our County Administrator Bill Barron, and our Director of Long-Range Planning Pat Lee. Our clerk is Louise Richards, and our planning guru, the man with all of the numbers, is Oliver Orjiako. We need to give our stenographer a rest from time to time, so if we are not finished by 8:30 we will take a break at 8:30 so she can rest her fingers and her hands. When you testify would you please be sure to speak slowly enough so that she can record what you say. This becomes a part of the official legal record and advances to the Hearings Board, and should any of these items come under legal dispute in the courts, it would advance there as well. Now if you speak too fast she'll turn around and scold you so it's just as well to slow down from the first. Mr. Lee, were you intending any staff opening tonight?

LEE: No. No, further presentation at this time.

MORRIS: All right. Great. We're just going to take this in the order of sign-up, if that's all right with the Commissioners, or do you prefer to stay on city-specific?

STANTON: No, sign-up is great.

PRIDEMORE: Sign-up's good.

MORRIS: All right. We'll run the sign-up and we'll start with Mike Langsdorf who was around all afternoon and is back.

LANGSDORF: My name is Mike Langsdorf, L-a-n-g-s-d-o-r-f, I'm a representative of Jim Walker of Walker Farms and David Callaham. About two years ago these gentlemen started the process of taking steps to include their land within the Ridgefield GMA. And the property is located at the intersection of 10th Avenue and 279th Street on the southeast corner. Yeah, down south from there. In the process they have submitted their request to the Clark County -- they've submitted their request to Ridgefield, they've appeared in front of the Ridgefield Planning Commission numerous times, Ridgefield City Council, your body, your Planning Commission, and then back to your body a couple of times.

In the process Jim Walker, who is a resident of the Ridgefield School District, ended up talking to a lady by the name of Mary Vagner, Mary Vagner is the superintendent of the Ridgefield School District, and she and Jim talked and talked about the problems that Ridgefield is having in getting more school land and getting the money to build the schools. In fact she said that they were in the process of purchasing a property about 50 acres in size which was costing them \$1.2 million just for the land and they were hoping to do that through a bond measure this year. The discussion between Mary and Jim Walker lasted more than just one occasional statement. As you can see, they were in front of various bodies and they were there at the same time and they continue to talk about this issue.

Eventually in about the Fall of this past year, 2003, Mary Vagner was -- contacted Jim Walker and asked if there was any possibility that they could get a donation or a reduced value purchase of land where Mr. Walker has his farm. That request was eventually consummated in a letter of agreement between David Callaham, Jim Walker to the Ridgefield School District offering the 10 acres that have been talked about for an elementary site. In July of this year that 10 acres was

increased from 10 to 15 acres, which is again a commitment to provide to the Ridgefield School District so they can have an elementary school on the east side of I-5 which they don't have at this time and there are plenty of residents on that side. I believe it would be a true statement to say that the Ridgefield City Council believes that the Ridgefield School District slash Walker Farms proposed development is a welcome addition to their community. Unless that takes place in the near future Ridgefield will not be getting the donation of the land. And as we've seen Ridgefield growing like mad, eventually that property is going to be developed in another way.

In the record, and I'm not quite sure which of the entities has that record right now, but there is a petition signed by the majority of the owners of the houses in Helen's View, which is the property if you can see where it looks like it's struck down into the thing and then a whole bunch of little dots, that's a whole cluster that was allowed in the past, and at one time we had a meeting with City Council members, eventually there was a petition signed and it was submitted to your Planning Commission I believe with the majority of the people asking that their property and Mr. Walker's property be included within the Ridgefield GMA. They recognize that at this time this property, as well as their property, is served by PUD for water, electricity PUD, gas with Natural Gas, Northwest Natural Gas, garbage comes from Waste Connection, cable is from Comcast, sewer is 1300 feet away from the property, and as you know 10th Avenue connects to 5th which will eventually be Pioneer onto I-5.

In addition to that I think the problem that Mr. Walker is discovering, and probably a lot of farmers have discovered, is that when city residents or people living in residential areas are injected into farm land, those two sets of people don't really mix for a lot of reasons. As an example, when Mr. Walker needs to put fertilizer on his property, the chicken manure has a terrible smell which gets over to the city residents, the city houses in Helen's View, and they aren't happy with that. And he recognizes that but he continues to have to farm his land, except recently he's had another setback and that is he had a stroke and he discovers with having a stroke that he's not going to be able to farm much longer. I believe that Mr. Walker and Mr. Callahan feel that the contribution that and the proposal of the school district and themselves could be a win/win situation for everyone concerned and they would ask that you support the City of Ridgefield in their proposal in regards to this property. Thank you.

MORRIS: Questions? We actually had testimony this afternoon from a resident who lives in that cluster who was not supportive of the proposal, but among the other things that he spoke of was the probable location of the property that would be donated to the school district. Can you give us any -- shed any light on where it might be?

LANGSDORF: I think what Mr. Wilson was asking for was that it should be placed on 10th Avenue. And that makes a lot of sense to me, but that's something that the applicant and the City, I mean the Ridgefield School District need to work out. But they've been very flexible, at least I found them as clients to be very flexible, on what's been asked of them.

MORRIS: And I don't remember ever seeing that petition. Have we seen it?

LEE: Yes. You know, it's -- I don't recall the exact date. I was trying to look through it. We have several communications from Mr. Langsdorf and I believe one of those attached to the petition. I'd have to go back to my notebooks to specifically call that out, but I do recall seeing

one. I don't recall counting if it was the majority or not, but there was several signatures on it.

LANGSDORF: I think once you find it, you'll find that there's two petitions, one on top of the other which cover the majority of the people in that Helen's View.

PRIDEMORE: Did Mr. Walker do that development?

LANGSDORF: No, he didn't. I think if he would have his choice, he wouldn't have bought next door to so many residential units in hindsight.

PRIDEMORE: So he bought the property after the development had gone in?

LANGSDORF: That's correct.

MORRIS: Okay. Thank you very much.

LANGSDORF: Thank you.

MORRIS: Forgive me, I won't be able to read the first name but the last name is Miller.

MILLER: Marty.

MORRIS: And the address is on 249th. Thank you.

MILLER: I was actually using some of my best penmanship.

MORRIS: And it's Marty? Is that what it is?

MILLER: Marty, yes.

MORRIS: Okay, thanks. Well, I didn't have my glasses on.

MILLER: Good evening. My name is Marty Miller and I live at 12811 NE 249th Street, Battle Ground, bless you.

MORRIS: Thank you.

MILLER: I have been a resident of the Battle Ground area since 1992. My extended family through my wife has lived in the region since 1953. I have had the opportunity to become acquainted with some of the Growth Management Act specifically in the last couple of weeks. I realize that this endeavor's been taking place for some time longer than that. I've had the opportunity to have some conversations with the City of Battle Ground and one of the points that I just recently learned is that they are one of the fastest cities on the West Coast as far as growth management. And while I applaud the City with respect to growth, my concern has to do with managed growth versus urban sprawl. I understand that I've entered this game late and -- but would like to go ahead and actually do some additional research, but I'd like to address a couple of things tonight that have concern to me. What I would like to do is read from a couple of the

GMA statements and then follow it up with some concerns.

The first come from the community framework plan, it's Page 1, and it states that each center provides places to live and work. The centers are oriented and developed around neighborhoods to allow residents the ability to easily move through and feel comfortable within areas that create a distinct sense of place and community. Specifically the plan calls for four to six to eight units per net residential acre. Now I understand that this fluctuates. This mic --

MORRIS: So does your microphone so.

MILLER: Okay. I was going to say just one came back. That I understand that Battle Ground is actually four to six units per net residential acre in the region. I took a look at the map with respect to Battle Ground. As I look at the boundaries that are current and I take a look at the boundaries that are proposed, the concern that I have, and I need to find the answer to this, is has Battle Ground met that requirement. When I take a look at still undeveloped land in the region, it looks like they have not met the density requirement.

The second has to do with capital facilities and utilities and this is an area that I have primary concern. There's a lady that I'm sure all of you are familiar with, a lady by the name of Shonny Bria, that runs the Battle Ground School District, well, I think that she has done an absolute fabulous job with what she's had to work with. We just went through a bond issue just recently to go ahead and build more facilities in that region because there is a tremendous need, that bond proposal was voted down. So my question to the Commissioners, and my question also to the Battle Ground community, is where are the funds going to come from to be able to not only take care of current growth, but to be able to manage the current or future growth within that region.

And the final part deals with a statement that came out related to Parks and Recs and I think this was very appropriate as we try to strive towards a sense of community. And it comes from Chapter 7, the very part, and it was a quotation that says with the growth the great metropolis here, the absence of parks will make living conditions less and less attractive, less and less wholesome. Insofar therefore as the people fail to show the understanding, courage and organizing ability necessary to grasp the present opportunity, the growth of the region will necessarily tend to choke itself. Battle Ground does not really have a park system per se. They just recently went ahead and voted, had a bond proposal to go ahead and develop some parks in the region and that was also voted down. So again when I take a look at the development of an infrastructure that I think is critical to the development of a city, I think there is additional work that Battle Ground needs to do in order to achieve its objectives.

I would also like to state that I am, I am very pro growth and development, but I am very opposed to urban sprawl and I think these are areas that Battle Ground needs to address specifically before it decides to have the opportunity to annex more real estate. Thank you very much for your time.

MORRIS: Questions? Thank you very much.

MILLER: Thank you.

MORRIS: Terry Young.

YOUNG: I'm Terry Young. My address is 17815 NE 120th Avenue in Battle Ground. I faxed a letter to the Commissioners last week and I hope that you've had time to read it, I'm not going to go over it now. I'd like to thank all of you for the opportunity to express my views on planning being done in the urban growth boundary. I'm a property owner in southeast Meadow Glade and I'm concerned about the impact if we are included in Battle Ground's urban growth boundary. In the Growth Management Act of 1990 it states facilities and services must be adequate to serve the area being developed. At the time it is being developed. Battle Ground continues to work on their capital facilities plan to no avail. As Mr. Karpinski stated yesterday, they have a big hole where their plan should be. Their plan does not show adequate funding of the needed services at any time in the near future. Development requires roads and lighting, stormwater drainage, schools, police and fire protection, water and last but not least a functional sewer service with the capacity needed for urban development. We paid \$8600 for our permit to connect to the Hazel Dell Sewer District STEP sewer system in 2000 and we are paying increasingly higher fees to the sewer district in order to increase capacity for new customers.

Testimony to the Commissioners by the planning staff from Battle Ground has supported the wisdom of withdrawing Meadow Glade from the urban growth boundary for this round of planning. In six years when the planning process begins again, Battle Ground will hopefully be in a better fiscal position and will be able to show a fully accountable capital facilities plan that can work without breaking the financial backs of the citizens it hopes to annex into their fair city. I also understand that you are considering dividing Meadow Glade down 112th Avenue and that's a fairly recent development. And while that might work, it also would require the gravity sewer system that's not present and there are no funds to finance. I hope that you'll consider these thoughts as you make the decisions that affect the lives and homes of those who have already invested in Meadow Glade. Thank you.

MORRIS: Thank you. Questions? Thank you. Lawrence Thompson.

THOMPSON: Good evening. My name is Lawrence H. Thompson, L-a-w-r-e-n-c-e, T-h-o-m-p-s-o-n, and I'm from Redmond, Washington and I live at 704 228th Avenue NE, and I've been asked to speak this evening as a representative of the Linda Scott Trust which as a practical matter are the heirs of Linda Scott, Linda having passed away a few years ago. If I might orient you to the property, I'm going to just hopefully make a few words about it and then I'll be on my way.

MORRIS: If you have a map, Oliver can put it on the overhead.

THOMPSON: I've got two or three if we could do it quickly here and maybe if you'll leave the satellite view on and then we'll have it kind of, correct, whatever you think.

ORJIAKO: What is this property?

THOMPSON: The square there is the one that's circled which is just north of Battle Ground. It's 40 acres just on the southeast side of, let's see --

DUST: North would be like that; correct?

THOMPSON: Right. On the southeast side of the park there. And then if I could show you this one. This is from your computer showing the zoning as residential that's for the area. And finally I'd like to give you a satellite view that's also, also I think somehow I linked it through your site and got it. I don't got it quite right on there, but the big square there is the 40 acres, this area in here would be the park, the boundaries of the park, and all of this area here is either two and a half or five acres and all of it's been built on, so those are my slides.

In the package that I've given you, I'm sorry I don't have a transparency of it, I've also got a letter from the Department of Community Development from Ms. Towne that indicates that she would be considering this for RS-5 (sic) in the comp plan update. And to be candid, we also got a letter later that said perhaps what we should be doing is just rezoning the property because it's residential. And since it's R-20 we should be going along and asking for an R-5, which is something we're considering. This isn't a land development deal, this is, this is land that's been in the hands of the Scotts since before World War II, it's been in their family 60 years. And one of the things that we discovered in the last couple of days is that, if I'm correct is that there may be a policy by the council that areas outside of the urban growth boundaries really aren't to be actively considered by the council in terms of zoning. Maybe I'm the, I'm a guy with an idea, but I'm in the wrong pew, I should be over in the Planning Department and maybe that's where we'll be. If that's your policy, I'd urge you to change it when you review your comp plan as you go along because things change every five or ten years outside of your urban growth areas to farmers and other people and they may need some help because of their own individual circumstances.

The reality for these people involved Kristi Scott, actually who is my fiancée, and Kim Scott, her sister, and Glenn Scott, who is the son of Linda Scott, is that this land as a practical matter is means for going to college and is their inheritance and retirement eventually. I also wanted to mention that every piece of land to the east and to the south has been -- of this 40-acre piece has been divided either in five acre or two and a half acre parcels, and I think the Scotts think that their piece could have been divided at one time into five or two and a half acre parcels before the comp plan of some years ago was first adopted, and Grandpa Scott was maybe getting a little older and liked his 40 acres and just continued to walk it and didn't get active like some of the others who saw a chance to rezone and maybe sell their land off and make some money.

We did get a letter that from the City of Vancouver that stated that it was the County's position that they might want to buy this land some day for the park and they didn't want it rezoned to any more density past the R-20 because it might increase the value. We now realize that if that was in somebody's head, then that it was an error and shouldn't be considered and we understand that. As I mentioned earlier in the letter that we got from Sandra, and we wrote a letter to you recently as is probably heard this process was ongoing, we were hoping that we could get some consideration for an R-5 rezone. We did, the Scotts asked me to say and they, and they've been serious about this before they talked to any planners or even before they talked to any people in the development business of who are shall we say people who sort of carve up the land with ideas of where houses should go, they are sensitive about the way the land drops down to the park side neighbor and they wanted to have me say that they wanted whatever they did over there or had done over there to represent consideration for nature and the way it looks and to be

complimentary to the park and not just create problems if they couldn't -- could do it and still get fair yield from their land for the price if they decided to sell.

They also asked me to say that they are especially sensitive about this perhaps since Kim and Kristi used to spend a lot of weekends up here with their Grandpa Bill and Linda and Grandpa Bill always used to take them out to this 40 acres and walk the land and show them the bugs and show them the trees, and I guess at one time they had some sheep on there, and talked to them about the property. And maybe that's just a walk for grandpa in the woods with his granddaughters, I'm not sure, but what they do want is they do want R-5 zoning on there and they do want to consider the -- not just chop it up if they can, they do want to consider doing something that has nice consideration for the neighborhood and the park. And they wanted me to say this to the council and say that if you can give it any consideration as part of your comp plan discussion even, they'd appreciate it. And that's, that's all I've got for you.

MORRIS: Questions? Questions?

STANTON: No.

MORRIS: Thank you.

THOMPSON: Thank you.

MORRIS: Larry McFeron, maybe McFenon. While he's approaching could I see the hands of those of you who are here about Meadow Glade. I suspected as much. Okay. Please go ahead.

MCFERON: Hi. My name is Larry McFeron and I live at 10608 NE 189th in Meadow Glade and I'm just here because a lady handed this to me Saturday and about the whole annexation into Battle Ground which I didn't know that much was coming. But anyway, she said that this piece of paper just states that about the plans of putting in gravity sewers and, and which would be pretty expensive and so I'm just here to say that I'm opposed to that. We've just put in a STEP system sewer that works just fine. And so I'm kind of ill-prepared and uninformed, but I'm just here to say I'm opposed to it. So thank you.

MORRIS: You're very welcome. We had a speaker this afternoon and did you happen to get the lady's name?

MCFERON: No. She just was walking around and handed me this and said I hope to see you at the meeting and I never even read it, didn't know what it was about, you know.

MORRIS: Well, it hasn't been identified from who it came and the County certainly didn't send it, and the Hazel Dell Sewer District didn't send it, and we haven't had this confirmed but I suspect that the City of Battle Ground didn't send it, so it is -- it has alarmed a lot of people.

MCFERON: Oh, I see. Well, is --

MORRIS: That's why we have a crowd.

PRIDEMORE: Maybe, and maybe we should have a discussion about it up front. We had a lot of discussion about it this morning --

STANTON: Yeah, let's do.

MORRIS: And anybody who wants to leave can leave.

PRIDEMORE: -- and a lot of people didn't hear about it this morning, that whoever sent that out is, I'll be quite honest I, I don't appreciate that kind of way of dealing with this issue because they went out and tried to scare a lot of people, not to honestly address the issues that have been discussed for a period of years now during this comp plan update. The City of Battle Ground has not made an effort, certainly is not making an effort currently, to absorb Meadow Glade. They've made it fairly clear they don't want Meadow Glade. It was an issue that I think I have to take considerable responsibility for because I have always felt that a long-term development interest of Battle Ground, of Meadow Glade, of Clark County would be better served if Meadow Glade was in a city, not out there. However, we had some great testimony from Hazel Dell Sewer District last week about what all is going to be involved in doing that.

I am now of the belief that while I think those issues are still legitimate and still need to be a concern, it's not something that we should do in this comprehensive plan. Therefore, at I would be willing to put out there and even take a vote right now if it will calm people down that at minimum the City of Battle Ground's latest proposal is that we eliminate the area south of 199th and west of 112th and I am supportive of that at minimum. It may be that additional areas may be appropriate to take out of the Battle Ground one, but I have abandoned my consideration after Hazel Dell's testimony that this isn't the right area to bring in at this time so. And if --

STANTON: And I'll agree with you.

PRIDEMORE: -- somebody else will agree.

STANTON: I'll agree with you. And because it really does come down to cost. I mean the whole exercise that we have underway right now is to try to find the most cost effective places to add to urban areas, and certainly what we heard from Hazel Dell Sewer District was that it was not very cost effective to take a look at replacing a sewer system in Meadow Glade. And it was pretty clear and convincing testimony.

MORRIS: And I've never been terribly interested in bringing Meadow Glade in, so I think that you have as much assurances as possible to give without a definitive vote right now, which we are not doing until we finish the whole thing, that that section of Meadow Glade that has been left out is for certainly not going in.

PRIDEMORE: Although the portion to the east of 112th still --

MORRIS: Well, that's still very much under consideration, that is. That has frontage along 117th and or and hundred and whichever it is right there, 122nd, and it is on a prime transportation route. So that may still be under consideration, but the vast majority of Meadow Glade is out so.

MCFERON: I can see this letter is really misinforming and so you guys have some real good news for us.

PRIDEMORE: Well, I think you have -- and I'll repeat some of the stuff I talked about this morning. I was involved in the Meadow Glade STEP system development stuff as a finance manager of Public Works. The concern that I've always had is when if you put a length of, actually the scale you talked about was a lot better, if you put in a block length of sewer, it is significantly cheaper per person if you have ten people on that sewer line than if you have two people on it. So if you're going to put in a sewer system, and I think Clark County failed when we originally put in that system because there were so few people on it, you know, on it individually, and that's why people had to shell out \$8600 and more to hook up to that system. I would like to see us not move in those directions in the future, that we do have sufficient density where we have these kinds of infrastructure investments so that individuals don't have to pay that much in tax money. That's the thing that motivated the discussion and the concern, but clearly now isn't the time to address this. I think in the next ten years the citizens in Meadow Glade are going to start seeing the impacts of this and it, I don't believe it's going to stay at this low of density forever. So I hope people will think about that in the longer term and the bigger picture, but right now isn't the time, that's clear.

MCFERON: Well, thank you very much.

PRIDEMORE: And maybe, Madam Chair, I could suggest if since there are so many people here about this, if they do want to come up and still testify about it, although I think it should be pretty clear where we're going, if you just want to agree with what's been said, please do, and that if you're opposed, if you actually do want to see this area come in, then obviously you should still testify and convince us that what we've just indicated is wrong.

MCFERON: Well, I thought it was all cut and dried and I thought what am I going up there for.

PRIDEMORE: Now you know. You did it, you convinced us.

MORRIS: Yes, until you spoke, we were undecided.

STANTON: Way to go, Larry.

MCFERON: Thank you very much.

MORRIS: You're very welcome. May I see the hands of those of you again who are here for the Meadow Glade because you are alarmed at the flier that you got and you still want to talk. You're welcome to do it if you would like. Okay. Well, if you don't mind, can we just do the Meadow Glade folks?

PRIDEMORE: Sure. I'd just --

MORRIS: All right. And we're going to start from the front and move to the back and the gentleman who's going like this. If you'd again give us your name and address for the record.

SILVEY: Good evening. My name is Eric Silvey, S-i-l-v-e-y, at 11501 NE 185th Street, Battle Ground in the Meadow Glade. As far as bringing any part of Meadow Glade into the Battle Ground UGA, I'd be opposed of it. I happen to be on the wrong side of the 112th issue, on the 503 side, which would end up dividing Meadow Glade, not taking a whole lot of it but still taking part of it. And I think my record speaks for itself. Of the five years that I sat on the Battle Ground City Council I voted "no" on every annexation and I'd like to vote "no" on this one also even though I can't.

MORRIS: Yeah, you shouldn't have left the Council.

SILVEY: No, I left the Council for lots of reasons.

PRIDEMORE: (Inaudible) Meadow Glade.

SILVEY: Battle Ground isn't ready to take on this much land for a UGA, they weren't when I was on Council, they're not now. There's still a lot of transportation problems, a lot of street problems, the sewer they still only own 18 percent of the Hazel Dell Sewer which is going to need to be expanded again if you start putting more people onto the sewer. I think they have issues that they have to address before bringing any more residents into the city of Battle Ground. If they get that fixed, then they can come talk to us in 10 or 15 years, but I think splitting the Meadow Glade neighborhood would be a wrong, even down 112th, leave it at 199th and let us stay intact until they can solve all their problems.

PRIDEMORE: We did receive testimony from Battle Ground yesterday, so many hearings, so much lately, everything seems for ages ago.

MORRIS: It was yesterday.

PRIDEMORE: Yesterday that they had already paid off their portion of the --

MORRIS: Right.

PRIDEMORE: -- Hazel Dell Sewer District expansion. And I do feel a need to defend them again, I did this morning, but, or this afternoon, but from my perspective sitting here, I have never been asked by Battle Ground to include Meadow Glade, that they have not made some big huge push that this was the area they were concerned about. So I defend them, although you still have -- if you're east of 112th, you obviously still have --

SILVEY: Correct.

PRIDEMORE: -- a lot of room to be concerned about how your services are going to be provided.

SILVEY: And the section between 112th and 503, the 80 acres that was just purchased and is going to be residential, would be many more houses on that sewer system. The land, the 40 acres, behind the Meadow Glade Church that has been purchased is in the process of being

developed, that splits off into 113th. The question would be would you follow that down or would you split that neighborhood, further splitting up Meadow Glade. So there's a lot of issues that need to be looked into before any of Meadow Glade gets put in in my opinion. Thank you.

MORRIS: Thank you. Anyone else from Meadow Glade who would still like to talk? Please, come front. Please. Oh, I guess Joe will come first, he was in the front of the room, I didn't see him, I'm sorry. It is helpful to the rest of us if you either turn your phone off or you turn it onto silent.

PRIDEMORE: Or have a cute song that plays when it rings.

MORRIS: No, that still disrupts.

LEAR: Yes, my name is Joe Lear. I did speak briefly this afternoon but I do need to bring up again that I believe the Battle Ground new proposal is the correct one. We need some commercial along SR-503, it would be a great regional commercial area. The sewer system is in. I represent the Windsong Acres Homeowner's Association and Whispering Pines Land Investment and Development Company. What else do I need to say? I think the Battle Ground plan down 112th is a very good compromise. You cannot please all the people. You've got to -- everyone has to compromise somewhere and I think this is a great compromise for everyone to get along with. Thank you very much.

MORRIS: Now, Mr. Lear --

LEAR: Yes.

MORRIS: -- the coloring on the map that we have in front of us which is the latest version has all of that area as light industrial. I think you spoke to zoning this afternoon, but I can't remember what --

LEAR: To regional commercial as Battle Ground had stipulated on their most recent map.

MORRIS: On their most recent, okay.

LEAR: The property on the north side of 179th has a proposed residential development going in. Its an underlining (sic) zoning. My underlining zoning has already been approved as a subdivision, but we are willing to go with the Battle Ground proposal. If I went ahead and said, okay, let's go ahead with the industrial like is shown, I could probably triple the money I could make on the land, but I don't believe industrial is good in that area. One reason is that there's four brand-new houses there and the air, the wind, blows from south to northeast and if there's industrial land in that area it would blow right passed those houses, any types of fumes or air particulates. So that's my main reason.

And again, there's commercial on the east side of SR-503 that's already zoned rural commercial and they spoke this afternoon that they would want either highway commercial or regional commercial and tie it in with the property on the east side of 503 and make it a regional commercial center which will be a good tax base to pay for this sewer system. We can't pay it on

the backs of homeowners, we need to pay it with commercial development.

STANTON: I'm confused on the sewer system. You said the sewer system is in. Are you talking about the STEP system?

LEAR: Yes, the STEP system. I brought everything in there, it cost me \$30,000 to bring a half a mile of line in and have it all installed. The power is already there, natural gas is there, phone, cable, everything is ready, the main road's already in, so there's no infrastructure cost for it Battle Ground or the County. And the developer that's, is looking at that is a high-quality builder, Rick Bowler (phonetic) he's probably well-known in the county, and he has already said that he will upgrade the sewer. That's what he's told me that he's relayed to the County already. Anything else?

MORRIS: No. Thank you very much.

LEAR: Thank you.

MORRIS: Okay. Now in the back of the room, please.

WITCHER: First of all I'm glad I'm not you, it's a complicated little process. My name is Tim Witcher. I live on 19101 NE 105th Court in Battle Ground. Or in the Meadow Glade area. I'm up here because I've -- I feel like first of all I don't fit the demographic for the normal Meadow Glade citizen. And in more ways than one. The situation is that I moved into the area three years ago, brought my family there, I came there for a quality of life that I thought that that area would afford me. I drive from Meadow Glade down to Milwaukie, Oregon, every day and I do it because of what I believe I got for my family. I have three small children. We wanted to get an acre of land. We wanted to be in some place where we didn't have to look at some of the improvements that people have in more dense settings. We came there because of the one-acre parcels. And, you know, at the time there were cows in the back of our property because we, we're -- we butt up against the school, Columbia I think it's Academy or whatever it's called there.

So when we come to that area, we came there for a reason and I'm concerned that while I do live on it appears the right side of 112th, I'm concerned about the fact that my neighborhood where I live doesn't end at the wrong, along the -- I shouldn't say the right side, the correct side of 112th, my neighborhood does not end on that side. I am -- if you go onto 189th and keep going straight, I'm on 105th, 105th Court. I have to drive right through the section that you're referring to that would be in this light industrial. Or potential light industrial area. And like the gentleman just got through speaking to, since we don't live in a vacuum and we don't live in a bubble, we're going to be affected quality of life-wise by what gets done in that area. I understand that 503 is a major thoroughfare and there's considerations that have to be made there, but I would encourage the council to remember that there are crazy people like me who drive inordinate amounts of time every day so they can come home to what I'll call the country so that I can provide the kind of area for my children that is free of light industrial businesses and free of parking lots as far as the eye can see and those kinds of things.

I am aware -- I'm baffled by the fact that we're talking about the situation when Battle Ground

supposedly hasn't asked for annexation or whatever in that area. Who's asking for that, that's the question that I have, but I would encourage the council to remember that those of us who live on the correct side of that 112th are still going to be affected to some degree by our neighbors who are going to be affected on the, on the not so nice side of 112th. And I'm also concerned that if we start there now, what's stopping them to come after me next. I could just be the first step in the -- or I mean I could be the second step in the process and I'm not looking forward to the prospect of having -- and I don't know if that map that's back there is right, but in my area they show 1 to 20 situation in the -- or a proposal and I'm sure not looking forward to any kind of apartment buildings when I try to come out to get a one-acre parcel and put my house in the middle of the one acre so that I would have nobody on either side of me for about 145 feet and I would really like to believe that there would be some consideration made for those people that are over there because we're over there for a reason.

MORRIS: Just to clarify, R1-20 is 20,000-square foot minimum lot size, it's not 20 per acre.

WITCHER: Oh, really, good. That's good to know.

PRIDEMORE: And then also, Battle Ground is still requesting the 112th east.

WITCHER: East. It's just not west of that?

STANTON: Right.

PRIDEMORE: Not west.

STANTON: They're asking for it but they're not asking for it in light industrial and I think that's where the confusion is coming. I think if I understand it right, and I'm not sure I can put my hands on the latest map from Battle Ground, but my understanding is that they wanted that to be commercial.

MORRIS: Right.

PRIDEMORE: It would be a Wal-Mart.

STANTON: It would be big stores.

WITCHER: Oh, there you go, that's better.

MORRIS: No.

WITCHER: So I can have more traffic.

STANTON: Well, that's what would qualify.

MORRIS: Well, that quieted people's fears.

WITCHER: Okay. Commercial, light industrial, it's still the traffic situations or whatever that

are kind of out of control and it feels out of place there, especially with a situation when you look at Main Street that's supposed to be the main drag of the place that's got so many places there that are, you know, Truck Depot right across from the Albertson's on Main Street doesn't strike me as the best use of that area as well. If they want to put a Wal-Mart or something other, some other kind of establishment there, there's all kinds of rolling farm land from what it looks like, but they're coming after a little section of us that it seems like we're just kind of tucked away there and it concerns me, so I just wanted you to know that.

STANTON: Just to be open and honest about this, if it is regional commercial, what size store can you put on there? Can you put a Wal-Mart?

PRIDEMORE: Yes.

STANTON: I think so. I don't think it takes highway commercial.

LEE: The regional commercial is Battle Ground's designation, our analogous designation, well, I'm not sure. One of the difficulties we have in trans, is translating our zoning into what --

MORRIS: Into theirs.

LEE: -- Battle Ground has said they were looking to achieve. So there's not a perfect match, but with a -- I presume that is one of their more intense commercial designations.

WITCHER: With that said, that intensifies my concern about the area. Even though I live on the correct side or the nice side of that 112th situation, driving past Wal-Mart and what all, all it has and thinking that's not going to affect me a couple of blocks away from there is probably not reality. And given the fact that it's kind of hard to put their fingers on the designations and how that works, the chances of us being surprised by whatever comes out there increase and I think that's a consideration that needs to be made because there is a quality of life issue out there that should be making -- should be taken into account.

MORRIS: More comments? Thank you.

WITCHER: Thank you.

MORRIS: Anyone else who wanted to speak on Meadow Glade tonight? Okay. I'm going to go back to my list and if I call your name and you were, Larry Mc, oh, I did, I did call on Larry, that's right, and he is the one who had the flier. Todd Wade from Longview.

WADE: My name is Todd Wade and I'm representing Betty Randolph and her sister Carolyn Calver (phonetic), property owners on the corner of NE 10th and 219th or the new 503. Looking at the growth plan currently as it's constituted is going to put them at a nexus of a tremendous amount of growth. They live on a very busy corner already and right now my understanding from staff is that the council hasn't looked at changing the Duluth corners area or the Dollars Corners area in the zoning and not really looking at what's happening to those areas based on both the light industrial growth to the north and to the south and the tremendous amount of growth that's happening in Battle Ground and having the main thoroughfare of the plan be the

new 502 out to I-5 where they're getting the new interchange, and their concern is that this plan tremendously impacts their property and those changes aren't being looked at by the council and they wanted to just voice this concern and ask the council to please look at the effect of those areas with all the growth that's happening around them and maybe have some of their concerns taken care of.

And their particular concern is that they would like -- because their quality of life due to the traffic that starts very early in the morning at these homes that they've owned has been in their family since I believe it's in the '40s, they get a constant flow of traffic across their front yard. Now with the changes we're going to see a lot more of that traffic be commercial traffic, big trucks and other service vehicles, and the growth all around them is having a major impact and they would just like to ask the council to take a look at that area in particular.

MORRIS: Are they north or south of 219th?

WADE: They are north of 219th right on the corner.

LEE: It might be on the 179th map, Oliver.

WADE: Yeah, 179th map has it on there.

PRIDEMORE: So their desire is to develop?

WADE: Their desire is to develop. And they don't have the money to go personally into the planning process, but they, they're planning on entering the annual review process in the Fall, but they know that that can be hard to get if they haven't looked at a comprehensive kind of plan for those areas that are being dramatically affected by the current plan. So thank you.

MORRIS: Thank you. Mike Perniconi.

PERNICONI: That's Mark Perniconi.

MORRIS: Thank you.

PERNICONI: Before I get started I wonder if we could ask you, there's about eight people here representing Westminster Walk this evening, I wonder if you wouldn't mind if we consolidated our comments rather than listening to eight of us?

MORRIS: We'd like that.

PERNICONI: I could narrow it down to three of us.

MORRIS: All right. Good. Would the other two like to join you now?

PERNICONI: Yes, please. One might be in the little boy's room for a second, but could we just wait one second.

PRIDEMORE: Westminster Walk is 119th?

LEE: Yes.

PERNICONI: Steve Howell would like to speak on his own and Paul Moody would also like to speak on his own. My name is Mark Perniconi at 10316 NE 110th Circle and I'm here as president of the homeowner's association of Westminster Walk. Yes. I think what might be better if Steve and Steve Howell and Paul Moody spoke on their own behalf and then I'll speak for the homeowner's association last.

MORRIS: However you'd like, that would be fine.

PERNICONI: Thank you very much.

HOWELL: For the record my name is Steve Howell, address is 11004 NE 102nd Avenue, Vancouver, Washington 98662. I'm requesting that Westminster Walk not be brought into the UGB. Westminster Walk is 90 percent developed with 31 homes completed, one under construction and three as bare land. Our lot size is approximately two and a half acres with septic systems and most with wells for irrigation. Part of 102nd Avenue, our right-of-way off 119th, was vacated by the County in early 2003 allowing our homeowner's association to construct a security gate at the entrance. As a result of this vacating we are now have private roads throughout our community.

I for one am not opposed to growth, but how can fairness for existing homeowners be achieved when we bought into what we thought was acreage, those remaining lots per an R1-6 zoning can develop 10 to 12 homes which would create an economic boom for them and devaluation of us homeowners. Is the County willing and able to void our CC&Rs and at what cost is the County willing to absorb to create the necessary infrastructure in this community to bring it up to the County standards with R1-6. Presently we have bioswales, individual homeowners have storms and erosion control, sidewalks were not required under the original PUD permit, we have one ingress/egress for the fire department.

The community is located on one of the worst west/east traffic routes in Clark County, 119th Avenue. In 1994 a study by the Southwest Washington Regional Transportation Council identified the nine most dangerous traffic intersections in Clark County and the intersection at 119th Street and NE 87th was on that list. I suspect that statistic has worsened since 1997. 119th Avenue is ranked 20th on the Clark County Transportation Improvement Program and it's slated for repair in 2008 with improved two lane major arterial with a center turn lane, median, bike lanes and sidewalks. The listed basis for this project is narrow two-lane roadway with no shoulders, severe vertical curves, unsafe for pedestrians and bicycles and several areas on 119th have no shoulders and a deep drainage ditch. This ends my testimony.

MORRIS: Questions or comments? Next.

MOODY: Thank you, Steve. I thank the Commissioners for allowing me to be here to speak in regards to rezoning my house, my home. My name is Paul Moody and I live at 9811 NE 114th Circle, which is an unincorporated part of Clark County, part of the Westminster Walk

neighborhood. Westminster Walk was platted as a PUD two and a half acre lots approximately seven years ago. There was 34 lots as Steve has testified at two and a half acres each. At this time, and he's kind of updated me, I noted four vacant lots but one of them is being, is being built on. And all the lots have been sold from that original developer and I suspect that within a short time they will be built upon too. It is a unique area and it has a lot of amenities that, that we aspire to do. Unlike many property owners, it's not our wish to reduce the size of our lots and sell them for profit or gain and quite, quite the opposite, we want to maintain the lots in the manner that they are today and we want to continue those amenities into the foreseeable future.

And I've heard testimony before from some of your other, your other property owners that we bought into this a long time ago and with the expectations of having a home with the amenities that, that we brought, that we bought into at the time. I really feel that it's the responsibility of the Commissioners in their zoning process to consider the best use of the county lands, and I've heard you espouse that in previous testimony, and how that zoning will affect the population of the county. And, you know, there's certain criteria that you use to develop your decisions as far as land use zoning, and I think that, you know, that we have to, we have to be aware that we do need more land in the county for homes and for commercial development and for industrial spaces. So your process is one that's necessary and we want to -- we want you to understand where we are as homeowners at this time in this area.

I will testify that Westminster Walk does have CC&Rs that preclude the current or future zoning and that's regarding the lot size and the number of units that can be built on the lot size; however, because of a fairly, you know, because it's a fairly recent zoning and the majority of the property owners in Westminster Walk Subdivision desire to remain under the current zoning, it's clear that the best use and the best zoning of our property should remain as it currently is. I see no reason to be changing it, and I see no benefit to the community, nor do I see it. And when I looked at the map I, you know, and it kind of had been shown to me earlier that it makes a nice straight line, but zoning shouldn't be developed because we want to draw nice straight lines, it still should go back to the initial criteria for the reasons that we do have zoning laws and that's to protect the neighborhood or the people living there or the industry or the commercial progress that goes there. That's about all I have to say about that.

I have some other questions that I'm a little confused about of the adjoining properties and possibly you could answer them for me and for the -- for my neighborhood in regards to the urban growth boundaries as they've been presented here. On 102nd, which is a private road that enters into our property, and adjacent to that is a large brown area that has been indicated that it's mixed use. My wonder is first of all, what is mixed use. And my second thing, why would it be in the middle of a large residential area, what would be the criteria that was used to put that into mixed use. And if I'm correct I think mixed use could be construed as commercial, multi-family, possibly a school, I don't know, but that's a question that I have for the council that I think is important to all of us in the neighborhood.

And the other, the other question, and of course I think we all have this in mind, but there is a lot of open area around our property that is being -- going to be taken in as 1-6 and these areas have a, have a large wetland volume and also wildlife habitat and I'm just wondering how, how that has come in. And I'm certainly that, you know, I'm knowledgeable enough to know that we have to zone it and then we go from, from the criteria as to how it affects the habitat and the wetlands.

Are we taking any consideration at this time of those factors when we do this. That's all I have to say other than we'd like to continue with the current, the current zoning that we have and I think it's in the best, in the best expectations for ourselves and it's the best use of the property. Thank you.

MORRIS: Mr. Lee, do you want to respond to the mixed use question?

LEE: In general the zoning does require a mix of uses, it requires a range of between 30 and 70 percent. For example you could do 70 percent residential, 30 percent commercial or vice-a-versa. The concept is one that it's fully master planned, you have integrated features that make it -- gives it a sort of a sense of place, unified community, and one of the hopes in mixing uses is that perhaps it does at least reduce a little bit what the traffic might otherwise be on the arterial streets surrounding the property because you're able to go by other means to and from commercial facilities and residential facilities.

MOODY: I don't quite understand what you're saying but I will --

PRIDEMORE: It's actually a lot more simple than that. It's the idea is that something like a Heritage Place which is actually not appropriate for your particular area --

MOODY: Right.

PRIDEMORE: -- but it's something where you've got small scale retail that's of service to the surrounding residents.

MOODY: Right.

PRIDEMORE: So if you've got dry cleaning to do, you could walk or at least you don't have to drive very far to drop off your dry cleaning. Or you go to a Starbucks or something that's right there so you don't have to get in your car, drive through an arterial system and clog up the streets more. That's the theory behind mixed use.

MOODY: My question then is why isn't the mixed use placed along 117th or 78th which has the traffic flow system to do that and actually has some improvements, some commercial improvements at this time rather than on a feeder, again terrible road? I mean it --

PRIDEMORE: 119th is -- as long as I'm not incorrect from what you told me this morning or (inaudible) corrected, five lane facility, two lanes in each direction, center turn lane, that's the plan for it.

MOODY: Yeah. When?

PRIDEMORE: The concern with it is if you take mixed use or you take these kind of small scale retail uses and you put them far away from homes --

MOODY: Nobody's going to use them.

PRIDEMORE: -- they're not accomplishing any function. So that's, that's the idea before -- behind it. You made a couple of other comments. Well, first off, on CC&Rs the County doesn't trump CC&Rs, CC&Rs dominate. So if you've got CC&Rs, don't worry about it, none of your folks can divide --

MOODY: Well, it can be a legal issue at that time point though.

PRIDEMORE: It can be depending on your CC&Rs and what your requirements are for overriding them, then it becomes an issue. But that's an issue of your CC&Rs, not County zoning.

MOODY: Certainly.

PRIDEMORE: And certainly as long as you own your properties you can do what you will with them, this would simply grant authority for people who wanted to develop at a greater range. You talked about the most efficient use of the land and just to give you a sense of this, if you're talking about efficient use of land, R1-6 zoning is basically on a two and a half acre lot you can get 15 homes.

MOODY: True.

PRIDEMORE: Okay. On if you don't use that scale that same number of homes takes you 37, 37.5 acres. Now one home on 2.5 acres, 15 homes on 2.5 acres, what's the best use in terms of use of that land.

MOODY: It depends upon what side of the --

PRIDEMORE: I can understand --

MOODY: -- bread is the butter on.

PRIDEMORE: Exactly. And I can understand preferring to live on the 2.5 acres and I don't want to see us force you to not have that kind of facility. The reality is the county is growing. If we don't do something like R1-6 zoning in some places, then we're going to have to do in order to accommodate 2.5's everywhere 37 and a half acres everywhere. I mean you just you do the math, how do you want to see Clark County be.

MOODY: Well, I think, I think everybody that's here of course is probably antigrowth just because of the dynamics of it and the reason that we're in Clark County, but in reality I mean what you're saying is true as far as efficiently using the land. There are some statistics recently that that's not really what's happening out there in the world where people, you know, there are still people that want to be in an urban setting. In fact my understanding is that there are more people today that for whatever reason want to be in a rural setting rather than the urban with the urban infrastructure and as we know it today. Of course your, your situation is how do we, how do we satisfy those people and still have enough building lots for the people that we know are coming in the future.

PRIDEMORE: And that's it is a struggle I'd like for us to share and try to work out solutions.

MOODY: It's a tough job.

PRIDEMORE: Yeah, it is. And I would just note that I have no children so I didn't --

MOODY: Right. Well, we want to be on record that we like what we have and we would like you to like what we have. And although we've made, we've made or tried to ensure that we will maintain it that way, we also are -- realize that it can be legally challenged. And I mean you're saying it yourself, 15 lots on an acre and Steve here decides that he doesn't like --

PRIDEMORE: He didn't want to play.

MOODY: -- the way things are and he wants to make, you know, whatever a dollar amount is, so he said, he comes to you, you have no -- I mean and the Building Department here starts issuing building permits, then we have to take the legal challenges and there is a possibility -- I mean there has been cases where the CC&Rs have not been upheld. Not very many but there has been cases so.

PRIDEMORE: It all depends on how those are --

MOODY: So what we're asking is that you double ensure our insurance.

PRIDEMORE: Yeah. And I can understand that.

MOODY: And we can't -- and if you could give me a reason why you shouldn't, I'd certainly look at it.

PRIDEMORE: Your particular subdivision doesn't trouble me near so much as the surrounding area that --

MOODY: Oh, surrounds it. It troubles us too.

PRIDEMORE: -- it, and that's the thing is if these surrounding areas come in at R1-6, you guys are still going to be just as upset. I mean whether it's within your existing subdivision.

MOODY: Well, I think they'd have to be a realist too. My wife is just -- I'm glad she's not here tonight because, you know, she -- we see this beautiful meadow with these -- with a thousand wild geese in it.

PRIDEMORE: Well, here's a split though is you've got, you know, we could go through and do if you'll buy off on the R1-6 for the surrounding ones and not cause a whole lot of grief when those people want to develop, then we could certainly change your zoning to an R1-2 point I don't know what.

MORRIS: No. Yeah, there's --

STANTON: And leave it as --

MOODY: Well, how about just we could arm wrestle about it too or something but --

MORRIS: I'd like to just interrupt for just a second if I may. You are not the only area in this kind of a position, there are areas on the further to your, further to the west of you and certainly further to the east of you where people did indeed buy larger parceled land to build on. The purpose of covenants is indeed to protect the size of those because eventually something else will happen. If it had been too far out, it's unlikely that you would have wanted to go there because it would have been too far out from wherever you were, but perhaps I'm wrong about that. You just are not the only ones in this circumstance that the whole -- we had this conversation this afternoon, the development community has argued repeatedly that one of the fallacies of our available buildable lands models is that areas like yours with covenants prohibiting further subdivision have been counted in our inventory of available buildable lands and the fact of the matter is that it is quite a legal hassle to go through, and I would assume given the quality of the area that you live in, that your covenants are of exactly the same quality and that there are clear provisions in it for how it may be altered. And, you know, I've never been in a covenant fight myself, and I don't know anyone who has been, but that is clearly the purpose for your covenants.

Commissioner Pridemore was saying we could certainly zone you R1-20, it is a larger lot, we simply we don't have a zone for your size inside urban areas and I know that's exactly why you would like to come out. If you did eventually, you would become a pocket because you would be surrounded in any event. I know this is no consolation and it's certainly no statement that no matter what you're coming in, that isn't what I intend at all, that is the purpose of covenants.

MOODY: Well, if -- and with respect, there are many places in the world that are pockets and certainly they're desirable just because of the aesthetics that they maintain in their pockets. And again, you know, we could, you know, I guess the best that we can ask for is either leave it like we are or come in as R, is it R-20?

MORRIS: The largest size we have is R1-20.

PERNICONI: Yeah, I'd like to take that argument further in my talk, but (inaudible).

MOODY: Okay. Well, thank you very much. And --

MORRIS: You're very welcome.

MOODY: -- I want you to know that you got a tough job.

PRIDEMORE: Could you maybe clarify one --

MOODY: Just vote in our favor.

PRIDEMORE: Could I clarify one other thing. From this morning's discussion, that mixed use area we had some discussion this afternoon I should say, where the bulk of the largest lot there in

that brown area is apparently pretty dedicated to remaining in its --

MOODY: We have heard that too, but you understand that hearsay and what somebody says, I mean --

PRIDEMORE: That's what I said too. That's exactly what I said.

MOODY: -- if it goes in as mixed use, it's mixed use. And if so, if the, if the wonderful person that owns it leaves this earth.

PRIDEMORE: Well, there's validity to that and there's legitimacy to the covenants that you have, then maybe we carve out that area around you guys. You're still going to become an island and the pressures regarding this are going to continue in the future so that this is not the end of it. I mean that would be the caveat so that you're aware of that.

MOODY: We're aware.

MORRIS: And just so you know, I mentioned this this afternoon, just as I drive out of where I live there's a big beautiful house and it used to have the most beautiful wonderful lawn in the whole universe and it was about a 5-acre parcel and it's been there for a very long time and now it's going to be dozens of houses. So it is -- I mean it's in my neighborhood. It's in everybody's neighborhood anymore.

PRIDEMORE: And how was it listed on the VBLM?

MORRIS: It was listed as vacant and buildable.

MOODY: It's -- all of these small pockets of large pieces of property are all, you know, I have to admit that I have some involvement in developing land, so with some amount of knowledge that we all desire those because we want to carve it up into little pieces and do that. Anyway, thank you very much.

MORRIS: Thank you.

HOWELL: For the record again Steve Howell. I want to follow up with Commissioner Pridemore when he stated about the MX area, what drives that brown spot, was it the owner or is it the County that just throws a dart on the wall?

PRIDEMORE: No. It's not, it's not neither. I mean it is the County but it's not with a dart at the wall, it is looking at areas that are largely residential and that are not readily served by low scale, small scale commercial development, that's what it is.

HOWELL: Is the homeowner in agreement with that zoning change or that's an issue she'll have to address down the road?

PRIDEMORE: The issue this morning was a gentleman who came in on one of the smaller parcels who was not too excited about the mixed use zoning that was on his property, so, yeah,

that's there. I mean it's a give and take process here.

MORRIS: Did you want to be third?

PERNICONI: I guess so. Again my name is Mark Perniconi and I'm a resident of Westminster Walk and I guess I'm also speaking as the president of the homeowner's association. I'd like to acknowledge seven or eight of our neighbors that are here this evening besides Steve and Paul are Jack and Diana Richard, Bill and Vicki Pahl, Steve Tygart, Kirsten Wallace, Eileen Roche (phonetic), Vern and Delores Toedtli and Craig Moody are also here in the back, I don't think they want to speak individually though.

I'd like to kind of take the -- I've been here before talking about this same subject throughout the process and again I appreciate you hearing us this evening, but I'd like to take exception to a couple of the comments that have come on, come up this evening. And from my perspective also, I am a developer and I understand how you do some of these things and I want to try to share with you what our fears really are and I think from more of a real world perspective. And I'm not even here, we're not, I'm not going to give you any criticism about the surrounding area or big lots versus small lots, any of that debate, but what bothers me is first of all we wouldn't be an island if we were left out of the urban growth boundary because the area north of us, 119th, is not coming in anyway.

PRIDEMORE: For now.

PERNICONI: We'd look funny but the map looks funny now. I mean put up the whole map and you see a weird little appendage sticking down below 119th, so it would just look a little different if we didn't come in right now. But what bothers me the most, and it's a fight we're willing to take quite a ways, is R1-6 is quite frankly not factually correct. There's no theory here. We are what we are. This is a new subdivision with all of the houses being less than eight years old or seven years old, nothing's going to change here for the next 40 or 50 years. So I keep harping back to the factual, the factual condition of where we are right now and R1-6 is again not factually correct so why put on the map that way.

And let me address the biggest fear we have and that's the CC&Rs. Our CC&Rs do prohibit lot splits; however, if you zone us the way you're proposing to do, the only thin line left between somebody breaking up one of the lots around our perimeter, and I'll get into a few other conditions, and leaving it the way it is are the CC&Rs. CC&Rs are obeyed by honest and honorable people, developers and attorneys are not honest and honorable people all the time, they can be defeated though and they can be challenged and it happens all the time. And even if they're not defeated, all someone has to do is say go away, we're going to do it anyway, sue us, and there's only 30 some left of us left in that subdivision to defend it. I've talked to the District Attorney, I understand the County is not going to defend our CC&Rs, I'm clear about that, it's up to us and not a whole lot, many of us, the ideal condition for having those things defeated. And on top of that, not only are we going to have to defend our own CC&Rs, now we're defeating a party that effectively has the County as an accomplice because you're going to grant them access either to a perimeter road or utilities coming from outside our subdivision. So now we're not only up against an individual, potentially a very deep pockets individual, we're up against the County as an accomplice in this unlawful act essentially. But it's real life, it happens all the time.

Now how does -- how would one of these lots fall into a condition that would create this problem. One of several. A bankruptcy. Anybody been through a bankruptcy proceeding and understand what happens to contract law and rationality, there is none, that's real life. A foreclosure where a lender has taken control of that and has an easier way to defeat the CC&Rs because of title or somebody got control of one of our perimeter lots and someone came into our subdivision from the perimeter where we're looking at the back end of a cul-de-sac effectively coming into our subdivision, and again the County would be the accomplice by granting utilities, granting approvals and granting street accesses from outside our subdivision. Now you said it, 14 lots, a lot of money to be made, it's worth the fight. Again this stuff happens all the time and that's real life.

And what, what's kind of frustrating to me is what would you lose if we didn't come into the UGB. You're not gaining one developable lot, not one house site is being gained and everybody is lawful and does what they're supposed to do, not one job, nobody's going to create any jobs in this subdivision, it's developed, there's no development to happen here, so there's no impact if we don't come into the UGB. And we're not a small parcel, we're probably 100 acres. My suggestion is go find 100 acres where you can impact the growth management, where you can create lots, and you can create jobs, you're not doing any of that here other than putting us in jeopardy.

Now as we exist I think we do add some benefits to the county because of our size. And again we are what we are and we're not changing for 40 to 50 years unless something strange happens as I described it. Our larger lots put less pressure on schools. I mean our density of kids in school has to be a 10th or a 25th of what a normal subdivision is. We're private roads, we maintain them, the County doesn't have to maintain them. That's a good thing, I hear your budget talks all the time. We have our own septic systems, we're not taxing any public sewer system. And our larger lots create less traffic. These are all good things. Why jeopardize it. And if the other devastating thing that could happen to us if one of the conditions I described to you happens, it could be absolutely devastating to us if our CC&Rs got rendered invalid. We'd lose one or two or three lots of contributions to maintain our private roads, we don't have the infrastructure capacity on our roads or water system to deal with additional density, so why are you allowing this to happen.

Now Pat Lee has been extremely helpful in explaining to me how the County, what the urban designations are for residential. Now I understand the maximum urban residential designation you have is a 20,000-foot lot. Well, that's one-fifth our size. You said, well, other people are going to face this problem. Well, why don't we deal with an urban designation for lots that meets reality, these are factual things, not theoretical things. We're two and a half acres in size. Why don't we have an urban classification for a lot that big, they're all over the county, and the more urban growth boundary annexations that happen, the more you're going to run into this issue. But you don't have one now and you're not going to have one in the foreseeable future. The result is we are not urban, we're a rural subdivision, so leave us out of the urban growth boundary. That's all we're asking. We're not asking for anything around us to change, any of the designations. And by the way, mixed use makes me happy because it's really, really, really hard to develop, I've been there. But again, our neighborhood, and we sent out two or three different mailings on this issue, and of the 35 of us, nobody has said no, no, no, no, we want to come into

the urban growth boundary and be zoned R1-6, we don't. So if there's no impact if we come in or if we don't come in, and we don't want to come in, why are you forcing us into the urban growth boundary and that's a question I'd like you to answer.

PRIDEMORE: I think we were doing better just a minute ago with our discussion before you started, you know, but before I get to your points, one thing with logic is you can't use contradictory facts to support your conclusion and you used that this area is never going to develop, therefore you shouldn't bring us in, and then you used this area could develop, so without your protection so we want you to keep it. As we were discussing earlier, I'm not altogether opposed to leaving this out because I think within some range of reality your particular subdivision is not going to develop in the near future. What I tried to stress earlier is that you will be surrounded totally by urban development and eventually it just doesn't make any dang sense to have this piece of land sitting out there outside of the --

PERNICONI: But why doesn't it make sense, I don't understand that. All it is are lines. I mean it's just lines on your map.

PRIDEMORE: Well, I mean I suppose --

MORRIS: If I might --

PRIDEMORE: Please.

MORRIS: -- not taking pro or con, it's very unlikely that the Growth Management Hearings Board would allow us to maintain an area of your size that is surrounded by urban area. I can guarantee you we would be appealed to the Growth Management Hearings Board.

PERNICONI: You mean if we were absolutely surrounded?

MORRIS: Yes.

PERNICONI: Understood. I don't disagree with that at all.

MORRIS: Okay. I think the point that Commissioner Pridemore has been trying to make is that it is only a matter of time until the area to the north of you across 119th is going to be included in an urban growth boundary as well. At that time you wouldn't be able to escape (inaudible).

PERNICONI: But that gives us ten years to write a text amendment for a lot size that actually reflects reality.

MORRIS: Well, it certainly does. It doesn't take us ten years to write a text amendment. The question is whether or not the Hearings Board would even allow an urban zone of that size. Now I'm saying these things to you because I mean I am a fan of the larger lot development and have made that very, very clear, but the reality of the fact is that there aren't many of us around and so it is unlikely that we would be allowed to have an urban zone of that size. There is a complication because you again are not the only ones in this kind of a circumstance, there are other areas to the east and the west of you where they are already built and they aren't going to

grow and they would eventually be encapsulated. I can tell you that looking around this room there are any number of people interested in the development business who would love to see you come out and who would love to have -- they've got that 100 acres waiting right there to come in. So it is an incredibly perplexing position for us to be in and it's not -- it's certainly not meant as any disrespect to your or anything else, it is a part of it is simply the fact of the statute.

PERNICONI: Well, I appreciate that. And I think the other statement I'd like to make is that most of my time is actually spent south of the Columbia River and a lot of us live in Clark County because there isn't the gigantic central planning entity like METRO passing down edicts like some of which you mentioned up here, and I would hope that the wish of the individual people who own these things have some merit and have some -- have some gravitas to what we're talking about. And again I keep harping back to the fact that we are not going to be an island, it gives us ten years to work on text amendments and other reasons to zone us correctly, and it has no impact in the next ten years other than something that is just devastating to those of us that are still here. And again I can't harp on how often these things get challenged, the CC&Rs, it's a thin, thin line and --

MORRIS: How often do they prevail?

PERNICONI: Well, most of them prevail, not because they prevail being right or wrong, they prevail because the party that has to prove themselves correct doesn't have the resources to defend themselves and that's what we're trying to avoid. Because as I said, there's only -- I mean think about the cost, the legal cost to defend something like that against a major developer. There's only 35 of us. I mean do the math.

MORRIS: I'm sorry, I must have misunderstood. I thought you meant it was the other way, that the CC&Rs do indeed hold up.

PERNICONI: They should hold up; however, there's enough legal loopholes you can find to blow holes through them that you're putting the burden on the party to defend themselves and their CC&Rs to effectively do that --

MORRIS: Well, let me just --

PERNICONI: -- and it takes enormous resources to do that.

MORRIS: Let me just go back to the original question was how often do those people who try to break the CC&Rs prevail?

PERNICONI: I mean I don't have any statistics, but it's, it's like I said, I think not, they don't prevail being right, they prevail because the party can't defend themselves. That's what happens.

MORRIS: Okay. Thank you.

PRIDEMORE: In the interest of not having a big bureaucratic planning organization inflict our will upon private property owners, should then the large parcel directly to the east of you be allowed to develop at 40 unit per acre multi-family housing low income if that's what the

property owner desires or should we use our -- the long arm of planning to say, no, you can't develop at that?

PERNICONI: I'm getting a leg cramp so excuse me.

PRIDEMORE: I was hoping there was something.

PERNICONI: Planning stuff makes me -- yeah, I would hope the will of the individual landowner does, but the impact -- the difference between our case and what you just brought out is significant, we have no impact whether we're in or out to the growth management.

PRIDEMORE: I don't know that I'm disagreeing with you. A matter of fact all I was trying to get to earlier when we were discussing it is I could support leaving you guys out because I think it, it's not going to be relevant for this particular plan. All I'm saying is would you guys agree to allow these other parts to come in at 1 --

MOODY: No.

PRIDEMORE: -- R1-6 and not complain?

MOODY: No. The answer is no.

PERNICONI: Some of my neighbors might, but I mean as a reality I don't think, that's not a fight I'd particularly care to spend much energy on.

MORRIS: I don't blame you. But it is an issue that we spend a lot of time and energy on because people do still hold near and dear to the use of their property as they want to use it, and then those people who look at the property hold near and dear to their right to preserve what they want to look at and it is -- I would suggest to you it is the major and perhaps the only conflict at the heart of trying to revise a comprehensive plan, so you certainly have struck to the heart of the matter.

MOODY: Thank you.

MORRIS: You're welcome.

PERNICONI: Again we appreciate it very much you hearing us this evening.

MORRIS: Sure.

HOWELL: Thank you.

MORRIS: Jack Richard.

RICHARD: I'm part of the Westminster group.

MORRIS: You're part of the group, okay. Kirsten Wallace.

WALLACE: I'm part of the group also.

MORRIS: Are you part of the group?

WALLACE: Yes.

MORRIS: Okay. Bill and Vicki Pahl, P-a-h-l.

PAHL: We're part of the group.

MORRIS: Part of the group. I'm going to miss -- do it again. Steve I believe it's T-y-e-a --

TYGART: I'm also part of the group.

MORRIS: Okay. Boy, you have a big group. Donald Benz. You're part of the group?

BENZ: Not that group, but I want to testify.

MORRIS: Another group, okay. Please join us at the table.

BENZ: I'm sorry, a different subject, that's Fisher's Swale.

MORRIS: Oh, that's all right.

BENZ: So you're not taking these in order?

MORRIS: I am taking them in order, it's that in order they all turned out to be a part of that group, so it's your turn.

LEE: I think rather than a sign-up sheet where we tried to organize things by geographic area, we just went down and who signed up first on the list after all.

MORRIS: Well, tonight we did --

PRIDEMORE: Yes. Yes.

MORRIS: -- yes. And then we did by geography, but tonight we agreed early we would just go down the list. Okay. Let's reduce it to it's simplest terms, are you for it or against it?

BENZ: I'm against it. Okay. So get that on the table first. I appreciate being able to speak before you. And I've known you all for a number of years. I've lived in Clark County since 1978 and have lived in this particular area since 1984, owning property there in 1982. My name is Donald Benz, B-e-n-z. My address is 19110 NE 21st Street in Vancouver. I'm sorry.

MORRIS: A little slower, please.

BENZ: 19110 NE 21st Street, Vancouver 98684. You've got the overhead map, I'm showing the projected area. Myself and our neighbors live in the lighter yellow area just to the immediate southwest of the darker yellow area, that's the area proposed, so we're right on the border of that area. We're not in it, we're neighbors of it.

MORRIS: Are you talking about the brown piece or the yellow, the mustard yellow?

BENZ: The yellow, the light yellow.

MORRIS: That one, okay, thanks.

BENZ: No, no, up further. No, up further.

MORRIS: Up further?

BENZ: Up further.

LEE: Are you talking the very top of the map?

BENZ: Up further. Up further. Up further. Right, okay, now down a little bit, we're in the lighter yellow area.

STANTON: Inside the UGB?

BENZ: Yes, right in there.

MORRIS: Oh, there. Okay. Inside the UGB.

BENZ: Right.

MORRIS: Okay. Okay. Thank you.

BENZ: So we're in, we live there, we've got this area of potential development going on around us. To give you a little bit of history, when we, when that was first short platted probably 30 years ago there was hardly any residential out there at all. Fairview Slope to the immediate east of us was not developed, Stoney Meadows was not developed, virtually none of that area had been developed so we were rural area with farm land, fields and pastures around us. Immediately behind us currently is the farm land and that's part of the dark yellow area that's the area in question. That area is subject to flooding. And when you even look at your own County maps that I can present that I just downloaded from your Web site, a great proportion of that area is considered wetlands or floodplain area which would make it very difficult to develop in an efficient fashion. So do I present those to this gentleman?

MORRIS: Please, if you'd give them to Oliver or the clerk, that would be great.

BENZ: I also have photographs, a photograph is worth a thousand words, that show the flooding in that area and I'll present those as well. Flooding is a big issue, a big question of ours because

we've seen it, we've seen it happen and we wonder about the impact that that's going to have not only on the floodplain into Lacamas Creek and on building itself. It seems that in the news media whenever we hear of flooding that occurs anywhere in the country, one of the questions that occurs is why did they even allow to build there in the first place. Dah, you know, it's wet, it's going to flood, why was it allowed and now why are they impacting the Federal Flood Insurance Programs, local resources are being taxed. Here you see the area in the spring and the top is the summer and you see in the just above that house there's a green area, even in the dead of summer it's still wet and this is the area that's proposed to be developed into 10,000-square foot lots. I don't see how it can be compatible.

The other part of it is the drainage and the runoff. Part of the Lacamas Creek water quality studies have shown that there's too much runoff into the creek, there's fertilizers that go into the creek, there's coliform bacteria that go into the creek from the cattle, with increased development you'll get more fertilizer, more pesticides, more other things going into the Lacamas Creek Floodplain, that's an area of spawning for the Brown Trout and other endangered species and wildlife. How is that going to be mitigated when it's right there. And this watershed area is a huge, huge area. We've seen this, this lake, this auxiliary lake occur so often that we've nicknamed it in our family Lake Will Be Gone. It's here today, it will be gone next month perhaps.

In addition we have concerns about how this area and property has been set aside. If you'll look on this map the cross barred blue area about in the center of the map there's a small development that's called Fairview Slope, that area is a cluster development. And I think staff can help me on this one, cluster developments as I recur (sic) for one, every one acre that's developed there's another five that has to be set aside?

MORRIS: It would depend.

LEE: I suspect that was the old rural cluster ordinance that was superseded when the 1994 plan was adopted, so it was predated the current regulations regarding clusters.

BENZ: Okay. So the old cluster plan is basically null and void?

MORRIS: It's old.

BENZ: So the assurances that we were given about the open space is basically null and void as well? That was one of the assurances that was given for the development, there was going to be open space set aside because that was the whole concept of cluster development.

MORRIS: No, not that one would be null and void because that would have been codified, this one that we were just talking about, you don't do those things again.

LEE: I believe that if, and Rich can probably help me out here if I'm wrong, I believe that the current regulations indicate that if an area that was part of an original rural cluster is brought into the urban growth boundary, then it can be resubdivided.

BENZ: It can be?

LEE: And only then once it's brought in, but not until it's brought in.

BENZ: So, you know, that brings up the whole, the whole issue of where is the credibility in government when we are promised one thing, we were told one thing according to zone and development standards, and now a number of years later it changes. Our concern was having some open space and preserving that open space and it seems that that's going to be perhaps taken away, that's our concern as well. Habitat I've mentioned.

Another interesting point, one of the property owners on 23rd Street which is immediately adjacent to that was denied a permit to build a shed on his property because there was -- this shed would be in the danger of a migratory bird flight path. Well, if one shed is going to be a problem mitigating development, I don't see how three dozen houses are not going to be a problem. So we've got some inconsistencies in rulings here that I'd, you know, like to see clarified and made fair and equitable.

The last thing is sewer and septic. We've already heard the cost of development. If you put homes on 10,000-square foot lots in this very wet area, I don't think anybody from the Health Department is here, but I would challenge whether that would perc so this would probably need some sort of sewer, sand mound, some other type of system. If you put sewer in there it's going to need a pumping system because that's the bottom of the gravity chain, folks, and a pumping system down in the bottom of that is also going to be subject to flooding. If not, it's just the additional cost of pumping sewer for all of those houses.

So bottom line is I've got some concerns environmentally, aesthetically and also politically because of the processing and the planning that has occurred in the past and some assurances that were given in the past that we as citizens would at least like to take home and sleep at night that our government is -- can be trusted to keep their promises. And I'm sure that this decision will be made, but as you heard from the people in the other testimony, that we also have a quality of life that we'd like to preserve. We're on acre and a half lots, you're looking at six to seven houses per acre, that's really quite a contrasting mix of rural. And this really is rural, folks, this is right adjacent to Lacamas Creek. Thank you for your attention.

MORRIS: What are you zoned?

BENZ: I'm sorry?

MORRIS: What are you zoned?

BENZ: I honestly don't know what we're zoned right now. That was a short plat when we bought our land.

MORRIS: If you're inside the urban growth boundary, I'm sure you're not zoned one-acre lots.

BENZ: That's -- but we have one and a half acre lots right now, that's what we were -- that's what was short platted back in the early 1980s.

MORRIS: And do you have CC&Rs?

BENZ: Yes, we do.

MORRIS: Okay. Are you wet?

BENZ: We're not because we're up on the slope.

MORRIS: Okay. I think it's really important to say this for everybody's benefit, no Board, no Legislature, no Congress, combined future Boards, Legislatures or Congress, so whatever we may do now could be changed, reversed, anything by a later Board. Anything that former Boards did can be changed by us as we're doing, it is simply a fact of life. It's not a question of trusting your government, it is a reality that, that is the way it works and has since the 1700s. It's the way it works. So I don't mean to be discouraging to you or disrespectful but I do mean to be honest, and we frequently talk about that here because we would like to believe that whatever this Board does will last in perpetuity because it was the best and it cannot possibly be improved on, but we know that isn't true.

BENZ: Thank you.

MORRIS: You're welcome. Mr. Lowry, you are looking perplexed and we know that that means something.

LOWRY: Rich Lowry. I just wanted to indicate that even when the old ag and forest cluster ordinance was on the books, it provided that the remainder lots could be further divided if they came into an urban growth area and we simply have carried that rule forward.

MORRIS: Okay. So that then was current law even at the time that that cluster subdivision was done. Okay. Russ Poloson.

POLOSON: My name is Russ Poloson, address 19113 NE 23 Street in Vancouver 98684. And first of all I'd like to say that the majority of the people I talked to on the east boundary of this expected if there was ever a zoning change, they would be notified by mail within a certain distance of this property, and we understand it as due to the urban growth boundary that's added where there's not a notification and we've, we moved out of a very crowded subdivision in Fisher's Landing thinking this area would be protected because the existing lots on the south side of the border are all acre and a half to the east, they're an acre and a half or better, and it's my understanding what the County likes to do is continue with, with an existing point with that same layout plan, and I do understand around the north, northeast corner what they've started around the corner there is much smaller lots. And also I've got another map I'd like to present. It shows a little better area, the wetlands area that does go across the corner of my property there. And where I'm located at is the very corner of the wetlands area there, the lot on your right-hand side.

And everybody I talked to understands that, you know, eventually we, we expected some type of development to go into this agricultural area, people were hoping for one acre or larger lots and I understand now that your largest size within the urban growth boundary is a 20,000-square foot lot which anything, you know, greater would be helpful. And there is limited developable land

in this area that lies north and northeast of my property because of the wetlands, there's the entire area north of my property is listed as habitat and the corner of my lot is approximately one-quarter mile from Lacamas Creek, there's a small creek that goes through this area marked "wetlands" on here, you can see in the, the blue area on the right this continues into Lacamas Lake also and it's, you know, something that should be preserved, this area within, within the Lacamas Creek. I mean they need to have some protected area. And we don't know exactly what the plans are for the development, what the wetlands would preserve at this point, but, you know, anything would be better, you know, if we could get a planned development, something greater, greater than the 10,000-square foot lots and everybody I've talked to along these boundaries agree. So with that point that they, they expected something to continue with, with one acre lots or greater to the north.

MORRIS: I don't know whether it's any consolation or not, probably not, most people don't follow County ordinance development or, but we have extremely restrictive regulations about wetlands and about habitat areas, so anything that were to go there would have to pay tremendous respect to the habitat, the wildlife, the water, the wetlands, all of that.

POLOSON: That's helpful to know that. And it was my understanding, and I've been down to -- I talked to somebody on the 3rd floor that out of 86 acres to the north there was only 33 acres developable and one concern we wondered what this area was or what, how it was divided up by parcel-wise as to what areas they could develop and could not wouldn't develop because of wetland or slope?

MORRIS: I couldn't tell you.

PRIDEMORE: However, under density transfer provisions it's likely that they would get smaller lots still than what's there to protect those wetlands.

POLOSON: Right. Right. Yeah, I understand that.

MORRIS: You'd protect the wetlands and you do all of the construction tight so that the wetlands are all protected and the habitat is protected.

POLOSON: Okay. Yeah, and I understand that now. We, we didn't realize, you know, that that maximum limit with the urban growth boundary was 20,000-square feet, but it, you know, it's helpful to know that, you know, they do take into consideration that the wetlands and habitat area, so that's what we'd like you, like you to take into consideration. And thank you.

MORRIS: You bet. Thank you. Kim, did you want to speak?

POLOSON: I'm with him.

MORRIS: He did a nice job. Linda Harrington.

HARRINGTON: My name is Linda Harrington. I live at 18801 NE 23rd Street, it's about probably the third lot from the street from 187th or whatever that is. Anyway, I'm coming here unprepared with a speech. And I'm not an eloquent talker, I'm more comfortable speaking to 7

and 8-year-olds because I'm a 2nd Grade teacher. But I come here with my heart on my sleeve because 20 years ago when my family, my husband and three children moved here from Oregon, we came to Vancouver because we liked the country part of it. We love the feel of Vancouver. We didn't want to live in Portland. We knew we could go to Portland, but I see Vancouver becoming a Portland and I don't think that's really a good thing. And five years ago we were able to afford our little piece of Heaven as we call it, it's a little acre and it overlooks this beautiful land. And we know the land's going to go, we've been, you know, worried about it, but it's finally becoming a reality and it just breaks our heart to see that happen to all the animals and the coyotes and all the jackrabbits and all the animals that are out there. I just don't-- I don't know where they go. Even the moles, I mean where are they going to go.

And like the gentleman earlier was talking about pockets, I think pockets are good and wonderful things are found in little pockets, you know, and I'm thinking if we could just extend that instead of coming around the other side and extending it with crowded homes, extend it. I mean there's -- there are a lot of people who want to live on acreage, you know, I know you can't get the money out of that, but I just think we need to preserve those areas in Vancouver so that people who want to buy the acreage can. And so I'm just reiterating everything that my neighbor said and just said that I just -- it brings me to tears because I would just hate to see this happen. So thank you for listening.

MORRIS: Thank you. I believe it's Phyllis. Am I even close?
Yeah, thank you. L-a-u-s, is that it?

HILTS: H-i-l-t-s. Sorry I was sloppy. My name is Phyllis Hiltz and my address is 18813 NE 23rd. I moved over here, I didn't want to move over here, I lived in Portland before, but I've been here ten years and I just want to agree with everything they said strongly. And I don't have kids either so I'm doing my part. But anyways, I'm going to just be short and do you a favor.

MORRIS: Thank you. Well, I'll admit my position, I have two children and I wish they'd both move here and multiply and divide but they don't so. I'd be happy to make up for both of you. Okay. Jim Walker.

WALKER: My name is Jim Walker. I live at 27201 NE 10th Avenue in Ridgefield. I'm married to Lori Walker, we have three children, all three have been educated in Ridgefield School District and neither my wife nor I are public speakers, I'm a farmer, thus we hired a local attorney to represent us this evening. He was unable to accurately -- actually respond to your questions. I believe that my testimony is necessary to supplement into the records.

Lori and I agreed to purchase this property of 105 acres of land from Bernie Warner in 1991. Although we've reached an agreement, it took several years to obtain our deed. During the interim we took possession of the land and farmed the land known as Helen's View and Walker's Farm. When we finally got our deed, we discovered we had two clusters to the north. To answer your question, none of the houses to the north were there, the whole place was bare except the farm. I've had the opportunity to speak -- well, I mean it was -- oh, got to back up. It was just when we bought it it was all one, then they clustered it.

I had the opportunity to speak to Mr. Wilson, your afternoon speaker from Helen's View. He

said he didn't -- he said that he believed that the school district should be located at the southwest corner of the land and we all agree. He also said that he didn't want the property to be developed like the Dollar Tree Distribution Center with 24-hour lighting. I would be willing to have restrictions against 24-hour lighting with the exception of street lighting on this property. Is there any questions?

MORRIS: No, but you spurred my curiosity. You said when you bought it you learned there was a cluster development on it?

WALKER: Well, when we bought it they said they were going to try to get a cluster and everything was going to be shoved to the north as far as possible away from the farm. Well, at that time when I talked to the realtor and all that because we had an agreement that if they didn't get the houses in that cluster, we could buy the rest of the land for \$100,000. We talked to quite a few people and everything else, everybody said it wouldn't even happen and here we got a cluster. We actually got two clusters.

MORRIS: Well, is yours the remainder parcel?

WALKER: Yes.

STANTON: It has to be. But I thought there was a, still a required residence on the remainder that was attached to the remainder even on those early clusters.

MORRIS: There is a house. Isn't there a house on that --

WALKER: Yes.

MORRIS: -- on your property?

WALKER: Yes.

MORRIS: There is a house on it.

WALKER: And a caretaker. But, yeah, it's nothing like what they promised us, let me tell you. Nothing like it was supposed to have been. Any other questions?

MORRIS: Thank you. Brian McCune. Mr. McCune, we haven't seen you for a couple of years. Are you still just north of 179th? No, you're just on the other side of a sewer line though, aren't you?

MCCUNE: Yes.

MORRIS: I thought I remembered.

MCCUNE: I'm Brian McCune. I live at 14914 NW a hundred and, or excuse me, NW 25th Avenue. You didn't go in any order but I'm in the North Salmon Creek area and I'm just here to understand clearly why my request to be included has to date been denied in inclusion in the

urban growth. I haven't really got a clear answer and I feel like I meet all the criteria.

MORRIS: Are you on this map?

MCCUNE: I'm not on that map.

MORRIS: Oh, okay. Which map are you on?

STANTON: It must be --

MCCUNE: The west side.

STANTON: -- North Salmon Creek.

PRIDEMORE: You're right. Go back.

ORJIAKO: Are you here?

MCCUNE: Yeah, there I am right there.

MORRIS: Just this small piece or more than that?

MCCUNE: There's two parcels. There's a half and three and a half that's kind of Z-shaped right together there. And I'm not clear on why I've been denied to date. And I don't like to speak publicly, but this is the last (inaudible) on this and I'm here to see if I can affect your thinking and be considered. I have the history. I don't know whether you have ever even read any of the information that's come along on this journey.

MORRIS: I remember a lot about yours the last time.

MCCUNE: Well, we had a sewer issue and that, that was another day. Originally I just requested that my parcel be brought in and suggested that for various reasons they might consider going down 151st and taking in additional property as they decide, as they arrive at their desired parcels or however you say it. Safety has been an issue. I've watched the 149th Street develop there and now there's sidewalks on I think both sides of that. We still have a little spot where they have to cross a tributary of Whipple Creek and they're I guess going to do something with that for safety issues, but we've got a lot of people. The boundary, I know Craig referenced it in a Commission proceedings that Sturdevant had said that he wrestled mightily with where to draw those boundaries and they went on some property lines versus down roads and they're not -- weren't sure, I don't know if you're sure now whether one or the other's better. But with regard to foot traffic I get a lot of people walking around and riding out there, a lot of high speeds, a nice straight road and a lot of people fly down it, it just seems like if you were to move that boundary up there and begin to acquire a right-of-way that has a pedestrian, you've got, you required one of one piece a short plat on the north side, they have a paved walk, it just seems like if you start something now by being down the road, it would be safer.

I wanted to quote some of the comments regarding bringing in the site-specific requests. Betty

Sue's comments were regarding the site-specific requests. She said that it seemed that many of them were adjacent to either existing urban growth boundaries or proposed urban growth boundaries. She said if they make good sense, she's willing to go along with those requests and to let those help them make some decision on boundary movement. And then Judie commented, she said it is, and I'm just taking the things that were applicable to me, she said it is also important to move onto urban reserve areas. She said she thought the current plan says that they will only grow on urban reserve areas. And Craig commented that, he said he agreed on the site-specific requests in that wherever it fits within the possibilities of the plan, they should try to honor those specific requests. And I, I don't know what more I could do to fit the criteria. It's flat, it's dry, it's surrounded by water and it has sewer there. Any comments?

MORRIS: Do either of you want to respond to that?

STANTON: Not really. I mean I don't know the area very well. It would just -- if you're only talking about those two parcels, it would just make an unusual jog in the boundary, that's all.

MORRIS: Actually I think we have had discussions about bringing in a larger part of that from your area to the east. I think we had some discussion about that but not much. The boundary on that side of I-5 hasn't moved anywhere at all; however, if we keep taking out all the rest of these things people want to take out, we may need to make up for it somewhere.

MCCUNE: Well, that's why I'm here to express this. It sounds like there's a -- there is that stuff that's in the urban reserve out through there is all we heard about covenants and restrictions and that, that most of that that's in the gray there is heavily impacted by that and you're probably not going to get much, if any, of that the next time you go around and you're going to have to go farther west and north to get something buildable if the time ever comes. So it just seems like I'm kind of the edge of that with the rest of the south of 151st. I don't think they -- they may have some covenants and whatnot but not many and they may never divide, but for what it's worth if you, you know, you say it, why would you jog around there, why would you jog there any different than anywhere else, there's all kinds of odd jogs. What's that got to do with anything?

STANTON: No, no, I was just talking about your individual piece of property there as opposed to going and taking that must be 151st, that road that's on the north of you there.

MCCUNE: Right.

STANTON: I think we did have some discussion about that, but it's not coming back very clearly right now.

PRIDEMORE: I think the thing that drove all of this in answer to your question, Brian, is in the beginning of this process kind of two things got started. One was discussions with the Cities about what they wanted to have happen, and, two, was the individual site requests. We dealt with the individual site requests on kind of an individual basis kinds of things as we moved forward with the city process. We had the City of Vancouver that wanted no expansion of the UGB, which is the one that you're attached to, with the City of Battle Ground who wanted a massive expansion of the UGB and that's where you can look at the map today and see that most

of the expansions are in the Battle Ground area. You're by -- the Vancouver UGB area has always gotten focused to the east and I don't think your particular circumstances in that area has been hugely discussed, you're the only one in the area who's been advocating for it, the City's been advocating against it, that's what I think ended up happening and that's --

MORRIS: There was an area that Mike Wynne brought to us that was just on the same side of the urban growth boundary as you are but it was not adjacent to yours and maybe that was --

MCCUNE: I think there was one or two other parcels that had site-specific requests, but I think one of them was to go larger or something, the other I don't remember, maybe smaller but not --

MORRIS: How big is your piece?

MCCUNE: About 4 acres the two combined. You know, I understand the principles of what the County's trying to do and what has driven it and what has resisted the movements, I am dumbfounded why you would put pressure sewer lines out to a community that's lots of miles from work. And I don't know, you probably have figured out how to cover the cost of all of that, but I am cost effective for sure up against Battle Ground or any of that. And we've heard a lot over the last two and a half years and more recently how Battle Ground is struggling to make that work. We heard about wetlands just recently.

From my part Battle Ground is real questionable whether they should be doing the kind of development they are, but I think it's out of the barn and away they go. So I just really struggle with not being included when I'm a perfect candidate regardless of anybody else's feelings. And I watch that and I'm a taxpayer and I don't know how much of what I do and pay for goes out somewhere else and here I am I don't want to wait seven more years for a decision. I thought this thing would have been done three years ago and I'd be halfway over a five-year window, now we're at the head end of a seven-year window and it's not pleasing me or I probably wouldn't be here today. I don't know what goes on from here or whether there's some consideration that can be made or not.

MORRIS: I don't -- well, yes, we could make, yes, whether the decision would be made in your behalf or not I couldn't even begin to predict. We are going to be -- what day is it that we're supposed to go through map adjustments?

LEE: Depending on length of testimony on Monday it's very likely you could begin deliberations on Monday and wind them up on Tuesday.

MORRIS: So early next week we'll begin discussions about everything that we've heard during this last round of public testimony. So it will be early next week we would have those talks.

PRIDEMORE: If two Commissioners say you're in, you're in. The only challenge that everybody's going to have to deal with is what's fair and equitable to everybody else who's been involved in the process because there's a lot of other folks who are asking for the same thing.

MCCUNE: I understand that. Yeah. I just like I say, I wish that this kind of conversation would have happened some time ago and I thought I was going through the right steps and taking the

journey, and in the end I feel like I need to make my requests known personally and let you deal with them accordingly.

MORRIS: Who was your legal counsel?

MCCUNE: LeAnne Bremer helped me some and Randall Printz has helped me some.

MORRIS: Okay. I remember now when --

MCCUNE: And I know they've had conversations trying to --

MORRIS: I remember LeAnne talking about it, right.

MCCUNE: -- get some direction, that these comments what's really blew me away. I figured I didn't really -- if you followed your comments, the site-specifics would have been given heavier consideration and not let these Cities' requests affect your decision as much as it apparently has. I'd like to know, I don't know exactly how many of these site-specific properties really exist, if it's a large amount or a few that are similar to my own?

MORRIS: There are a jillion of them.

MCCUNE: The same thing?

MORRIS: There are a lot.

LEE: There's about I think 252. And actually this particular area there was a lesser density, there wasn't as many requests in this area for site-specific changes and additions to the urban growth boundary as there was along 117th, 119th, Battle Ground, other places, Ridgefield. So there just hasn't been as much interest by most of the property owners in that area to change the existing condition.

PRIDEMORE: And this process has been one with many different avenues going along. You got the site-specific requests was one aspect, one set of criteria, the Cities' input, the capital facilities impacts, the vacant buildable lands, all of this information was all flowing together. And some of the information pushed toward one kind of conclusion, some pushed toward another conclusion, and it's all been just how do we pick out of all that different information to come up with a plan.

MORRIS: And if you have watched any of the nuance or blatant discussion, you know that the Board has been greatly divided during this whole discussion. So it really does get to a point where staff knows if they can get two yeses, they run. And I mean so it's been a very not only have there been so very many conflicting interests, but again there just have been different values on the Board, so that all plays into it as well.

MCCUNE: I understand that. And I just, just got to say it, you know.

MORRIS: Well, sure. And I can understand your position. I mean you got sewer and water and

everybody's talking about capital facilities and how much it's going to cost and there's yours is right there and, yeah, I can understand why you're --

MCCUNE: Safety really is a big issue.

MORRIS: -- concerned.

MCCUNE: There is a lot of foot traffic around there and I think moving it up to 151st makes a good amount of sense and --

MORRIS: Now you're on 149th, am I -- is that correct?

MCCUNE: I'm on 25th. I come right out through the two parcels. I'm just right through the middle. I come off of near where Bliss Road begins and go on 26th to 25th. And then I actually have access off of 151st and through that subdivision to the south. And I can't get one other incident out of my head on the young lady that lost her life on 149th because of the same circumstances that are out there because there were substandard foot trails and lots of people walking because we invited the development. But the unfortunate thing was the sidewalks came later than they were and that's how (inaudible) --

PRIDEMORE: That was significantly further to the east from your location though.

MCCUNE: Oh, yeah. But it's the same kind of road, the same circumstances, everybody from those subdivisions are coming out north and walking farther out and you're going to have to address that so. Anyway, thank you for your time and I appreciate some consideration.

MORRIS: Thank you for coming. Thank you for sticking around so long. Actually, Mr. McCune, I think I met you years ago door bellling one time.

MCCUNE: Possibly.

MORRIS: That concludes all of the people who have signed up to speak I believe. Have I missed anyone or is there anyone in the room besides staff? Mr. Rademacher? George?

PRIDEMORE: George hasn't talked to us in hours.

MORRIS: Well, only an hour.

VARTANIAN: Count your blessings.

MORRIS: Yeah. Okay. Is there anyone else here tonight who would like to speak before we conclude? We did go past 8:30 but just a couple of minutes so. Okay. Seeing no hands rise, we'll end the hearing and adjourn until we take this issue up again on Monday.

PRIDEMORE: Madam Chair, can we have just a brief discussion in terms of we had the attorneys who were here representing several people earlier today and I think it might be helpful for anybody watching at home, also for those attorneys, if there is a clear time when they'll be

able to speak.

MORRIS: First, I understand that our arrangements is that they speak first on Monday morning.

PRIDEMORE: That would be my understanding as well.

STANTON: Well, what is first? What time do -- what time are we set up to start?

PRIDEMORE: 9:00.

MORRIS: 9:00.

LEE: 9:00.

STANTON: 9:00 Monday.

MORRIS: So they'll speak at 9:00 on Monday morning.

PRIDEMORE: And remember the Chamber wanted -- was in that group too, although not --

MORRIS: Right. Well, the people who instead of are property owners, the people who sort of do this for a living, that works. Okay. We're adjourned. Good night everyone.

(Hearing adjourned at 8:45 p.m.)

BOARD OF COUNTY COMMISSIONERS

Betty Sue Morris/s/
Betty Sue Morris, Chair

Judie Stanton, Commissioner

Craig A. Pridemore/s/
Craig A. Pridemore, Commissioner

ATTEST:

Rebecca Tilton/s/

Rider & Associates, Inc.
360.693.4111

Deputy Clerk of the Board